

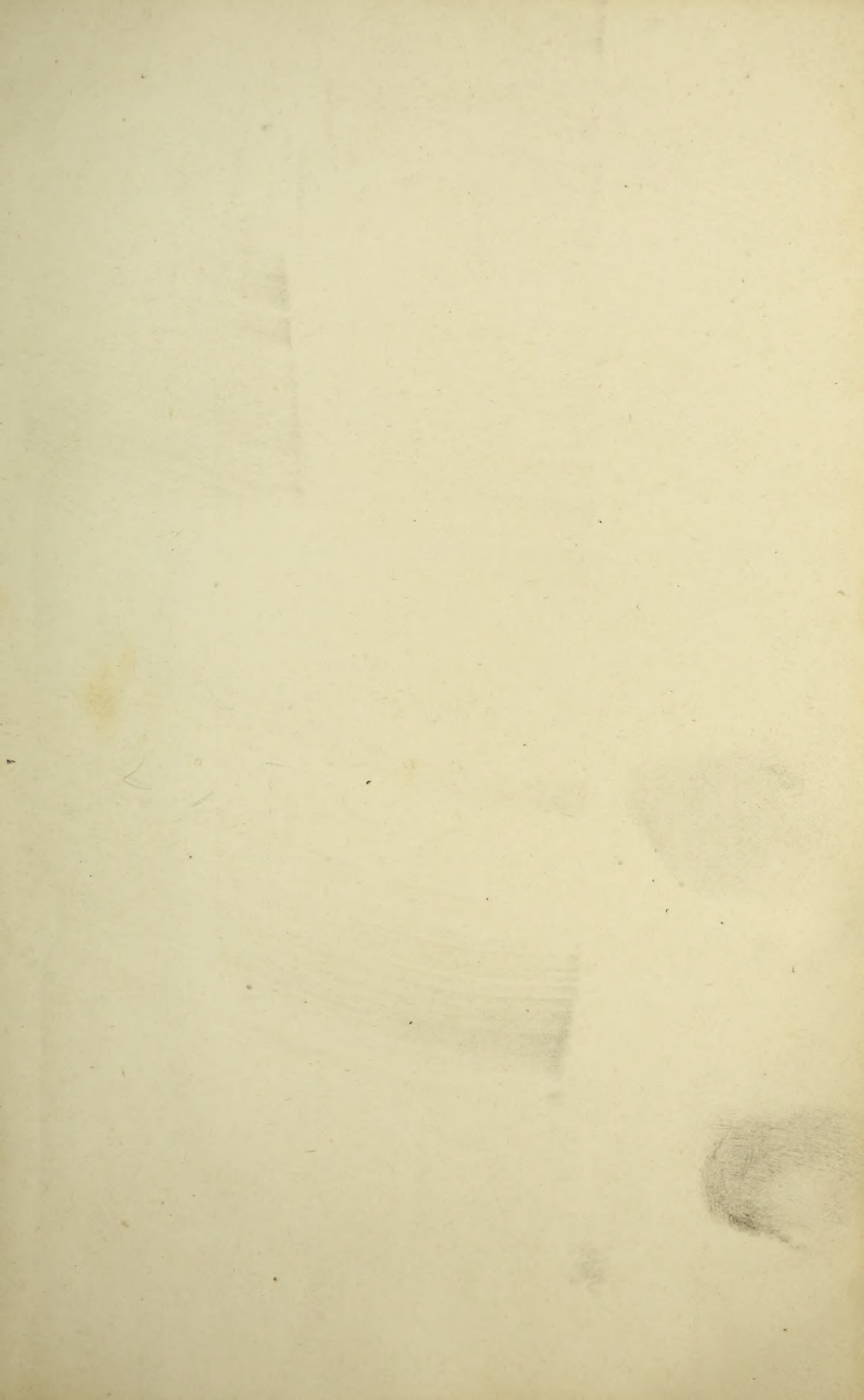
**THE UNIVERSITY
OF ILLINOIS**

LIBRARY

352.0782

LG30r

1895





Digitized by the Internet Archive
in 2017 with funding from
University of Illinois Urbana-Champaign Alternates

12M

REVISED ORDINANCES

OF

LINCOLN, NEB.

Together with Special Ordinances of the City of Lincoln,
Laws of Nebraska Relating to the City of Lincoln,
and Rules of the Excise Board.

COMPILED AND REVISED BY

L. W. BILLINGSLEY AND R. J. GREENE.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

LINCOLN, NEB.:
STATE JOURNAL COMPANY, PRINTERS.
1895.

COPYRIGHT, 1895,

BY

L. W. BILLINGSLEY AND R. J. GREENE.

352.0782

L630v

1895

3 Apr 39 MLS

CONTENTS.

PART ONE.

CONSTITUTIONAL PROVISIONS RELATING TO CITY GOVERNMENT—STATUTES RELATING TO GOVERNMENT OF THE CITY OF LINCOLN.

1. Charter Cities, First Class.
2. Bonds and Oaths, Official.
3. Bonds, Municipal.
4. Bonds, Contractors on Public Buildings.
5. Bonds, Coupons Detached by Auditor.
6. Bonds, Internal Improvements.
7. Bonds, Refunding.
8. Bonds, Interest.
9. Corporations.
10. Revenue from Internal Improvements.
11. City Officers, Not to be Interested in Contracts.
12. Civil Rights.
13. Exemptions from Poll Tax.
14. Insurance Companies, Taxation of.
15. Libraries.
16. Seat of Government.
17. Market Square.
18. Union Square.

PART TWO.

ORDINANCES.

CHAPTER I.—CITY OFFICERS.

- Article I..... Elective Officers.
Article II..... Appointive Officers.

Sets 27 Jan 39 Statute = 1895

1043733

Article III.....	Official Oaths and Bonds.
Article IV.....	Salaries.
Article V.....	Special Provisions.
Article VI.....	Removal of Officers.

CHAPTER II.—THE MAYOR.

Article I.....	The Mayor.
Article II.....	President of the Council.

CHAPTER III.—LEGISLATIVE DEPARTMENT.

Article I.....	The City Council.
Article II.....	The City Clerk.

CHAPTER IV.—DEPARTMENT OF FINANCE.

Article I.....	The City Treasurer.
----------------	---------------------

CHAPTER V.—JUDICIAL DEPARTMENT.

Article I.....	The Police Judge and Court.
----------------	-----------------------------

CHAPTER VI.—THE DEPARTMENT OF PUBLIC WORKS.

Article I.....	The Board of Public Works.
Article II.....	The City Engineer.
Article III.....	The Street Commissioner.
Article IV.....	The Sidewalk Inspector.
Article V.....	The Sewer Inspector.

CHAPTER VII.—DEPARTMENT OF LAW.

Article I.....	The City Attorney.
Article II.....	The Deputy City Attorney.

• CHAPTER VIII.—DEPARTMENT OF HEALTH.

Article I.....	The Board of Health.
Article II.....	The Health Officer.
Article III.....	The City Physician.

CHAPTER IX.—DEPARTMENT OF POLICE.

Article I.....	The City Marshal.
Article II.....	Special Provisions.

CHAPTER X.—THE FIRE DEPARTMENT.

Article I.....	Chief of Fire Department.
Article II.....	Special Provisions.

CHAPTER XIV.—MISCELLANEOUS ORDINANCES.

Article I.....	Accidents.
Article II.....	Additions.
Article III.....	Amusements.
Article IV.....	Areaways.
Article V.....	Auctions and Auctioneers.
Article VI.....	Barbed-wire Fence.
Article VII.....	Billiards and Ball Alleys.
Article VIII.....	Births.
Article IX.....	Bread.
Article X.....	Building Permits.
Article XI.....	Buildings.
Article XII.....	Burial Permits.
Article XIII.....	City Limits.
Article XIV.....	Coaches, Cabs, and Carts.
Article XV.....	Coal.
Article XVI.....	Concealed Weapons.
Article XVII.....	Day Labor.
Article XVIII.....	Deaths.
Article XIX.....	Dogs.
Article XX.....	Elections.
Article XXI.....	Election Districts.
Article XXII.....	Electric Lights.
Article XXIII.....	Eminent Domain.
Article XXIV.....	Express Companies.
Article XXV.....	Fire.
Article XXVI.....	Fire-arms, Fire-works, and Cannons.
Article XXVII.....	Fire Department.
Article XXVIII.....	Fire Escapes.
Article XXIX.....	Fire Limits.
Article XXX.....	Flags and Decorations at the City Hall
Article XXXI.....	Flower Pots.
Article XXXII.....	Funeral Trains.
Article XXXIII.....	Gaming.
Article XXXIV.....	Gas and Electric Light Property.
Article XXXV.....	Gas Mains.
Article XXXVI.....	Grades.
Article XXXVII.....	Health.
Article XXXVIII.....	Horses.
Article XXXIX.....	Hotel Runners.
Article XL.....	Houses of Ill-fame.
Article XLI.....	Ice.
Article XLII.....	Intelligence Offices.

Article XLIII.....	Lamps.
Article XLIV.....	Library.
Article XLV.....	Licenses.
Article XLVI.....	Miscellaneous Practices, Misdemeanors.
Article XLVII.....	Nuisances.
Article XLVIII.....	Oils.
Article XLIX.....	Ordinances.
Article L.....	Pawnbrokers.
Article LI.....	Plumbers.
Article LII.....	Pound.
Article LIII.....	Railroads.
Article LIV.....	Resident Merchants.
Article LV.....	Scavengers.
Article LVI.....	Seals.
Article LVII.....	Second-hand Dealers.
Article LVIII.....	Sewers and Drains.
Article LIX.....	Signs.
Article LX.....	Sidewalks.
Article LXI.....	Stationary Engineers.
Article LXII.....	Steam Carousals.
Article LXIII.....	Steam Engines.
Article LXIV.....	Streets.
Article LXV.....	Street Railroads
Article LXVI.....	Sunday.
Article LXVII.....	Supplies—City Printing.
Article LXVIII.....	Supplies for City Government.
Article LXIX.....	Telegraphs and Telephones.
Article LXX.....	Wards.
Article LXXI.....	Water.
Article LXXII.....	Weights and Measures.

PART THREE.

SPECIAL ORDINANCES.

Article I.....	Funding Bonds.
Article II.....	District Paving Bonds, Assessments and Orders.
Article III.....	Intersection Paving Bonds.
Article IV.....	Sewer Bonds.
Article V.....	Water Bonds.
Article VII.....	Electric Light, Gas, and Oil Companies.

Article VIII	Miscellaneous Ordinances.
Article IX	Railroad Bonds.
Article X	Paving Districts.
Article XI	Railroads.
Article XIII	Sidewalk Districts.
Article XIV	Street Railways.
Article XV	Telephones and Telegraphs.
Article XVII	Viaducts.

PART FOUR.

Article I	Organization of Town of Lincoln.
Article II	Organization as City of Second Class.
Article III	Organization as City Second Class, more than 10,000 Population.
Article IV	Organization as City First Class, less than 60,000 Population.
Article V	Directory, Officers, Town and City of Lincoln.

APPENDIX.

Rules of Excise Board.

INDEX.

1715.

AN ORDINANCE

Providing for the publication of the ordinances and laws of the city of Lincoln, Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln :

SECTION 1. That the ordinances and laws governing the city of Lincoln as arranged, revised, and amended by L. W. Billingsley and R. J. Greene, be and the same are hereby ordered printed in book and pamphlet form, for sale and distribution in bound volumes, to be entitled "Revised Ordinances of Lincoln, Neb."

SECTION 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest : J. W. BOWEN, *City Clerk*.

STATE OF NEBRASKA, }
COUNTY OF LANCASTER. } ss.

I, J. W. Bowen, Clerk of the city of Lincoln, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An ordinance providing for the publication of the ordinances and laws of the city of Lincoln, Nebraska," passed by the City Council of said city August 26, A. D. 1895, and approved by the Mayor of said city August 26, A. D. 1895.

I further certify that the original ordinance, of which the foregoing is a copy certified, is by law intrusted to my custody for safe keeping, and is on file in my office.

Witness my hand and the corporate seal of said city this 26th day of August, 1895.

[SEAL.]

J. W. BOWEN, *City Clerk*.

CERTIFICATE OF PUBLICATION.

STATE OF NEBRASKA, }
COUNTY OF LANCASTER. } ss.

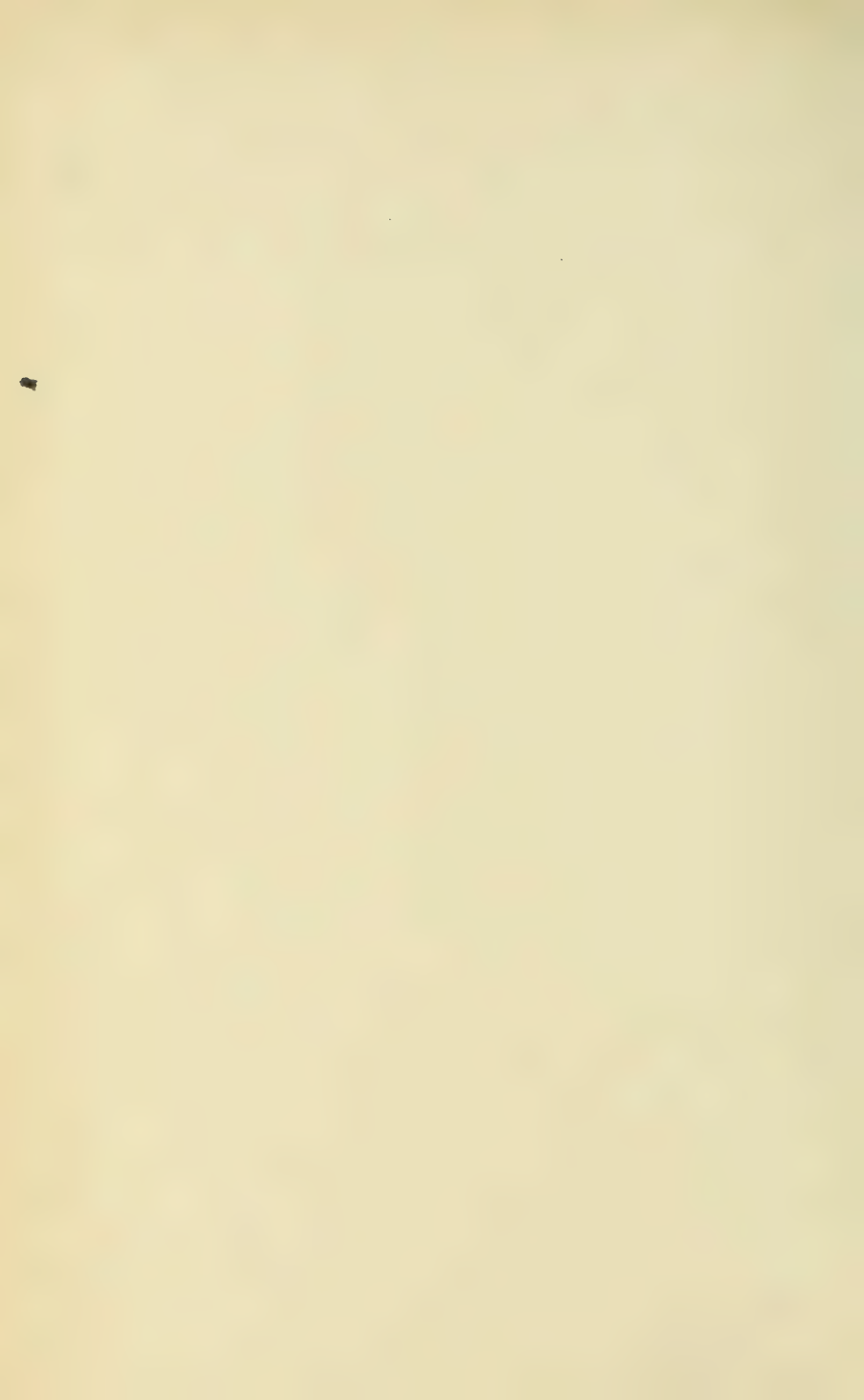
I, A. H. Mendenhall, being first duly sworn, on oath say that I am the chief business manager and one of the proprietors of the State Journal Company, a printing and publishing company in the city of Lincoln, in said county and state; that the above and foregoing ordinance of the city of Lincoln, together with other ordinances of said city, was printed and published in book and pamphlet form in the city of Lincoln in pursuance of the provisions of the statutes of the state of Nebraska and the ordinances of the city of Lincoln, and by order and under the authority of the city of Lincoln, by said State Journal Company, on the 26th day of August, A. D. 1895, and duly delivered to the clerk of said city.

A. H. MENDENHALL.

Subscribed in my presence and sworn to before me this 26th day of August, A. D. 1895.

[SEAL.]

P. F. GREENE,
Notary Public.



PART ONE.

Constitutional Provisions, and Statutes.

CONSTITUTIONAL PROVISIONS

IN RELATION TO CITY GOVERNMENTS.

ARTICLE III.

1. (SECTION 15.) The Legislature shall not pass local or special laws in any of the following cases, that is to say: for * *
* * * * * changing the names of * * * * *
places. * * * * * Vacating * * * * * town
plats, streets, alleys, and public grounds. * * * * * Regulating
the jurisdiction and duties of * * * * * police magis-
trates. * * * * * Incorporating cities, towns, and villages, or
changing or amending the charter of any town, city, or village.
Providing for the election of officers in * * * * * cities.
* * * * * Providing for the bonding of cities. * *
* * * * * Creating, increasing, and decreasing fees, percentage,
or allowance, of public officers during the term for which said
officers are elected or appointed. * * * * *

ARTICLE VI.

2. (SECTION 1.) The judicial power of the state shall be vested in a supreme court, district courts, justices of the peace, police magistrates, and in such other courts, inferior to the district court, as may be created by law for cities and incorporated towns.

3. (SECTION 18.) * * * * * and police magistrates shall be elected in and for such districts, and have and exercise such jurisdiction as may be provided by law.

3a. (SECTION 20.) All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall respectively reside in the district, county or precinct for which they shall be elected or appointed. The terms of office of all such officers, when not otherwise prescribed in this article, shall be two years. All officers, when not otherwise provided for in this article, shall perform such duties and receive such compensation as may be provided by law.

3b. (SECTION 21.) In case the office of any judge of the supreme court or of any district court, shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor shall be elected and qualified, and such successor shall be elected for the unexpired term at the first general election that occurs more than thirty days after the vacancy shall have happened. Vacancies in all other elective offices provided for in this article, shall be filled by election, but when the unexpired term does not exceed one year the vacancy may be filled by appointment, in such manner as the legislature may provide.

3c. (SECTION 24.) All process shall run in the name of "The State of Nebraska," and all prosecutions shall be carried on in the name of "The State of Nebraska."

ARTICLE VIII.

4. (SECTION 11.) No sectarian instruction shall be allowed in any school or institution supported in whole or in part by the public funds set apart for educational purposes; nor shall the state accept any grant, conveyance, or bequest of money, lands, or other property, to be used for sectarian purposes.

ARTICLE IX.

5. (SECTION 2.) The property of * * * * * municipal corporations, both real and personal, shall be exempt from taxation. * * *

6. (SECTION 4.) The Legislature shall have no power to release or discharge any county, city, township, town, or district, whatever, or the inhabitants thereof, or any corporation or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever.

7. (SECTION 6.) The Legislature may vest the corporate authorities of cities, towns, and villages, with power to make local improvements by special assessments, or by special taxation of property benefited. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to person and property within the jurisdiction of the body imposing the same.

8. (SECTION 7.) Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

ARTICLE XI.

9. (SECTION 1.) No city, county, town, precinct, municipality, or other subdivision of the state, shall ever become a subscriber to the capital stock, or owner of such stock, or any portion or interest therein, of any railroad, or private corporation, or association.

10. (SECTION 2.) No such general law shall be passed by the Legislature, granting the right to construct and operate a street railroad within any city, town, or incorporated village, without first requiring the consent of a majority of the electors thereof.

ARTICLE XII.

11. (SECTION 2.) No city, county, town, precinct, municipality, or other subdivision of the state, shall ever make donations to any railroad or other works of internal improvement, unless a proposition so to do shall have been first submitted to the qualified electors thereof at an election by authority of law; *Provided*, That such donations of a county, with the donations of such subdivisions, in the aggregate shall not exceed ten per cent of the assessed valuation of such county; *Provided further*, That any city or county may, by a two-thirds vote, increase such indebtedness five per cent, in addition to such ten per cent, and no bonds or evidences of indebtedness so issued shall be valid unless the same shall have endorsed thereon a certificate signed by the Secretary and Auditor of State, showing that the same is issued pursuant to law.

ARTICLE XIV.

12. (SECTION 2.) Any person who is in default as collector and custodian of public money or property shall not be eligible to any office of trust or profit under the constitution or laws of this state; nor shall any person convicted of felony be eligible to office unless he shall have been restored to civil rights.

13. (SECTION 3.) Drunkenness shall be a cause of impeachment and removal from office.

STATUTES

RELATING TO THE GOVERNMENT OF THE CITY OF LINCOLN.

1.—Charter Cities First Class.

CHAPTER 13a.—CITIES OF THE FIRST CLASS.

ARTICLE I. CITIES OVER 25,000 INHABITANTS.

14. § 1. That all cities having less than one hundred thousand (100,000) inhabitants, and more than twenty-five thousand inhabitants, shall be governed by the provisions of this act, and be known as cities of the first (1st) class.

15. § 2. Whenever a city of the second class shall have attained a population of more than twenty-five thousand (25,000) inhabitants and such fact shall have been duly certified to the Governor by the Mayor of such city, attested by the seal thereof, he shall declare by public proclamation such city to be a city of the first class and subject to the provisions of this act.

16. § 3. The government of such city shall continue in authority from the date of such proclamation until the re-organization under this act. The Mayor and Council shall divide the city into not less than six wards, to take effect at the next annual municipal election.

17. § 4. The corporate limits of such city shall remain as theretofore, and the Mayor and Council may by ordinance include therein all the territory contiguous or adjacent, which has been by the act, authority, or acquiescence of the owners subdivided into parcels containing not more than twenty acres, and the Mayor and Council shall have power, by ordinance, to compel the owners of lands so brought within the corporate limits to lay out streets, ways, and alleys to conform and be contiguous with the streets, ways, and alleys of such city (or otherwise as shall appear most for the convenience of the inhabitants of such city and the public), and they may vacate any public road heretofore established through such land when necessary to secure regularity in the general system of its public ways.

18. § 5. Land shall be deemed contiguous to such city notwithstanding any stream or embankment, or any strip or parcel of land not more than two hundred (200) feet in width may lie between such land and the corporate limits of such city.

19. § 6. The proprietor or proprietors of any land within the corporate limits of any city of the first class, or contiguous to the same, may lay out said lands into lots, blocks, streets, avenues, and alleys, and other grounds under the name of — addition to the city of — and shall cause an accurate map or plat thereof to be made out designating explicitly the lands so laid out, and particularly describing the lots, blocks, streets, avenues, and alleys, and grounds belonging to such addition; the lots must be designated by numbers, and the streets, avenues, and other grounds by name or numbers, and such plat shall be acknowledged before some officer authorized to take the acknowledgment of deeds, and have appended a certificate made by some competent surveyor, that he has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately staked off and marked, and when such map or plat is so made out, acknowledged, and certified, and after being approved by the Mayor and Council, the same shall be filed and recorded in the office of the County Clerk of the county, and thereupon such plat shall be equivalent to a deed in fee simple to said city from the proprietor of all streets, avenues, alleys, public squares, parks, and commons, and of such portion of the land as is therein set apart for public and city use, or is dedicated to charitable, religious, or educational purposes, and all additions thus laid out shall remain a part of said city, and all additions now or hereafter laid out adjoining or contiguous to the said corporate limits shall be included in the same, and be and become thereupon a part of such city for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges, and subject to all the laws, ordinances, rules, and regulations of the city to which said land is an addition; *Provided*, the Mayor and Council shall have power by ordinance to compel the owners of any such addition to lay out streets, avenues, and alleys, so as to have the same correspond in width and direction, and be continuations of the streets, ways, and alleys in the city or additions thereto, contiguous to or near the proposed addition, and no addition shall have any validity, right or privilege as an addition unless the terms and conditions of such ordinance are

complied with, and the plats thereof submitted to and approved by the Mayor and Council, and such approval endorsed thereon.

20. § 7. The corporate name of each city organized under or governed by this act shall be the city of — and all process whatever, affecting any such city, shall be served upon the Mayor, or Acting Mayor, or in the absence of both of said officers from the city, then upon the City Clerk.

21. § 8. No right of property accrued to any city, corporation, or person under any law heretofore in force, shall be affected by this act, and all city ordinances now in force and not repugnant to the provisions of this act shall remain and continue in force until altered or repealed by the Mayor and Council. When any such city or town shall be incorporated under the provisions of this act, all its said trusts, rights, and privileges shall be transmitted to and vested in such latter corporation, and all actions heretofore commenced by or against any city, or town which shall become a city, governed under the provisions of this act, shall be in no manner affected by this act, but all such actions shall be continued to final judgment and satisfaction as if this act had not been passed.

22. § 9. Each city governed by the provisions of this act shall be a body corporate and politic, and shall have powers: *First.*—To sue and be sued. *Second.*—To purchase and hold real and personal property for the use of the city, and real estate sold for taxes. *Third.*—To sell and convey any real or personal estate owned by the city, and make such order respecting the same as may be deemed conducive to the interests of the city. *Fourth.*—To make all contracts and to do all other acts in relation to the property and concerns of the city necessary to the exercise of its corporate powers. *Fifth.*—To exercise such other and further powers as may be conferred by law. The powers hereby granted shall be exercised by the Mayor and Council of such city as hereinafter set forth, but they shall not have power to sell any real estate of the city unless authorized to do so by a vote of the majority of the electors of such city at a special election therefor.

23. § 10. Each city governed by this act shall be divided into not less than six wards, as compact in form and equal in population as may be, and no ward shall contain less than six thousand (6,000) inhabitants, the boundaries of which shall be defined by ordinance. Each ward shall constitute an election district; *Provided*, That when any ward shall contain over five

hundred (500) legal voters the Mayor and Council may divide such ward into two or more election districts.

24. § 11. Precinct lines in that part of any county not under township organization, embraced within the corporate limits of any city governed by this act, shall correspond with the ward lines in such city, and such precinct shall correspond in number with the ward of the city, and be co-extensive with the same; *Provided*, That when a ward is divided into election districts, the precinct corresponding with such ward shall be divided so as to correspond with the election district; *And provided, further*, That no justices of the peace or constable shall be elected in such precinct, and every such city shall constitute a district for the election of justices of the peace and constables, and in every such district there shall be elected two justices of the peace and two constables at the time provided by law for the election of such officers in other districts.

25. § 12. The general city election in all cities governed by this act shall be held on the first Tuesday in April, annually; the polls shall be opened at such place in each election district as may be designated by the Mayor or be fixed by ordinance, and shall be kept open between the hours of eight o'clock A. M., and seven o'clock P. M., and no longer.

26. § 13. At the first annual election after such proclamation by the Governor, a Mayor, Treasurer, Clerk, Water Commissioner, City Attorney, City Engineer, and Police Judge shall be elected by a plurality of votes for the term of two years, and biennially thereafter. In cities governed by the provisions of this act each ward shall elect from its residents two (2) Councilmen for the term of one and two years respectively, and one annually thereafter for two years. In cities of this class now or hereafter subject to the provisions of this act whenever by reason of an increase of wards in such city, any ward shall be without representation it shall be lawful and proper at the next succeeding election to elect two Councilmen for each of such wards for the term of one and two years respectively, and one Councilman annually thereafter for two years. Officers whose terms are unexpired shall hold their offices for their unexpired terms, and elections shall be made as vacancies occur. There shall also be in each city governed by this act an Excise Board, consisting of the Mayor, who shall be ex-officio member and the chairman thereof, and two members elected by the city at large, who shall hold their offices for two years. The terms of all elective offi-

cers shall commence on the Tuesday next after their election and continue until their successors are elected and qualified. Each Councilman hereafter elected in any such city, before entering upon the duties of his office, shall be required to give a bond to said city in the sum of two thousand dollars with two or more good and sufficient sureties, residents of said city, who shall each justify that he is worth at least two thousand dollars over and above all debts, liabilities and exemptions; conditioned for the faithful discharge of the duties of the Councilman giving the same, and further conditioned that if said Councilman shall vote for any expenditure of money, or the creation of any liability in excess of the amount allowed by law, or shall vote for the transfer of any sum of money from one fund to another where such transfer is not allowed by law, that such Councilman and the sureties signing said bond shall be liable thereon.

27. § 14. Chief of the Fire Department and the Inspector of Meats and Live Stock, Building Inspector who shall be a person of practical experience in the erection and construction of buildings, and such other offices as may be provided for by this act, except the Marshal and Police, and not elective, may be appointed by the Mayor, by and with the assent of the Council. Any of such officers may be removed at any time by a vote of three-fourths of all the members of the Council. All confirmation of officers by the Council shall be made *viva voce*, and the concurrence of a majority shall be required, and the vote by yeas and nays shall be recorded. The City Marshal and such number of Police as the Excise and Police Board may authorize shall be appointed and may be removed by the Excise Board as hereinafter provided, and in case of emergency the Mayor may appoint a necessary number of special police, who shall be removable at the pleasure of the Mayor.

28. § 15. The qualification of the electors in the several wards shall be the same as is required for the electors under the laws of the state, and they shall also have resided in the city three months and in the ward seven days. At a meeting of the Council on the first Monday after any city election, the returns shall be canvassed, and they shall cause the Clerk to make out and deliver certificates of election to the persons found to be elected, and a neglect of such officer to qualify within ten days after the delivery to him of such certificate shall be deemed a refusal to accept the office to which he may have been elected.

29. § 16. Regular meetings of the Council shall be held at

such times as may be fixed by ordinance and special meetings whenever called by the Mayor or any four Councilmen. Two-thirds of all the members elected to the Council shall constitute a quorum for the transaction of any business, but a less number may adjourn from time to time and compel the attendance of absent members.

30. § 17. The salaries of all officers shall be fixed by ordinance, not exceeding the following sums per year, respectively: The Mayor, one thousand (\$1,000) dollars per annum; Treasurer, three thousand (\$3,000) dollars per annum; Deputy Treasurer, twelve hundred (\$1,200) dollars per annum; one assistant nine hundred (\$900) dollars per annum; each Councilman and member of the Excise Board except the Mayor, three hundred (\$300) dollars per annum; Clerk, two thousand (\$2,000) dollars per annum, including the making of the tax list; Deputy City Clerk twelve hundred (\$1,200) dollars per annum; Marshal one hundred (\$100) dollars; Captain of Police, ninety (\$90) dollars, and Policemen, seventy (\$70) dollars each per month; City Engineer, eighteen hundred (\$1,800) dollars per annum; Street Commissioner, seventy-five (\$75) dollars per month; City Attorney, fifteen hundred (\$1,500) dollars per annum; Deputy City Attorney nine hundred (\$900) dollars per annum; Water Commissioner one thousand (\$1,000) dollars per annum; Inspector of Meats and Live Stock, seventy (\$70) dollars per month; Chairman of the Board of Public Works, twelve hundred (\$1,200) dollars per annum, and the other two members of said board, two hundred (\$200) dollars per annum. The foregoing to be construed as limitations and not fixed salaries. All other officers and employes of the city, except Police Judge, shall receive such compensation as the Mayor and Councilmen shall fix by ordinance at the time of their employment. *Providing, however,* That if any officer absent himself from the city for the period of sixty days or more he shall forfeit his salary during such absence, and if absent for ninety days his office may be declared vacant by the Mayor and three-fourths of all the members of the Council. The emoluments of no officer, whose election or appointment is required by this act, shall be increased or diminished during the term for which he was elected or appointed, and no person who shall have resigned or vacated any office, shall be eligible to the same or any appointive office during the time for which he was elected or appointed. No one shall be appointed an Inspector or other public officer who has

not been qualified by practical experience in the particular line of industry that requires his attention and constitutes the duties of his office.

31. § 18. The compensation of the Police Judge shall be fifteen hundred (1,500) dollars per annum, to be retained out of the fees collected by him, for his services. *Provided*, This shall not include any sums he may receive for his services as an examining magistrate, and in cases under the statutes. He shall keep in a suitable book, to be provided by the city, an accurate account of all fees and costs by him collected in cases for violation of city ordinances.

32. § 19. All officers shall be qualified electors of the city, entitled to vote at all elections therein.

33. § 20. The Mayor shall preside at all meetings of the City Council, and shall have a casting vote when the Council is equally divided, except as is otherwise herein provided, and none other, and shall have the superintending control of all the officers and affairs of the city, and shall take care that the ordinances of the city and the provisions of this act are complied with, and may administer oaths, and shall sign the commissions and appointments of all the officers appointed in the city.

34. § 21. The mayor shall have the power to sign or veto any ordinance passed by the City Council, and to sign or veto any order, by-law, resolution, award of, or vote to enter into any contract, or the allowance of any claim; provided, that any ordinance, order, by-law, resolution, award, or vote to enter into any contract, or the allowance of any claim, vetoed by the Mayor, may be passed over his veto by a vote of two-thirds of all the members elected to the Council notwithstanding his veto, and should the mayor neglect or refuse to sign any ordinance or resolution and return the same with his objection in writing, at the next regular meeting of the Council, the same shall become a law without his signature. *Provided*, That the Mayor may veto any item or items of any appropriation bill, and approve the remainder thereof, and the item or items so vetoed may be passed by the council over his veto as in other cases.

35. § 22. He shall, from time to time, communicate to the city council such information and recommend such measures as, in his opinion, may tend to the improvement of the finances of the city, the police, health, comfort, and general prosperity of the city, and shall have such jurisdiction as may be vested in him by ordinance, over all places within five miles of the corporate

limits of the city, for the enforcement of health or quarantine ordinance, and regulation thereof, and shall have jurisdiction in all matters vested in him by ordinance, excepting taxation, within one-half mile of the corporate limits of said city.

36. § 23. In case of any vacancy in the office of Mayor, or in case of his absence or disability, the President of the Council shall exercise the powers and duties of the office of Mayor until such vacancy shall be filled or such disability removed, or in case of temporary absence, until the Mayor returns, and performs such other duties as may be required by law. The Mayor may require any male inhabitant of the city between the ages of eighteen and fifty to aid in enforcing the laws.

37. § 24. The Mayor shall have power, after conviction, to remit fines and forfeitures and to grant reprieves and pardons for all offenses under the ordinances of the city.

38. § 25. The City Clerk shall have the custody of all laws and ordinances, and shall keep a correct journal of the proceedings of the Council; he shall also keep a record of all outstanding bonds against the city, showing the number and amount of each, for what and to whom the said bonds were issued, and when any bonds were purchased, paid, or canceled, said record shall show the fact, and in his annual report he shall describe particularly the bonds issued and sold during the year, and the terms of sale, with each and every item of expense thereof; he shall also perform such other duties as may be required by the ordinances of the city. He shall also make, at the end of each month, a report showing the amount appropriated to each fund, and the whole amount of warrants drawn thereon, which shall be spread at large upon the minutes. And said Clerk may, in case the Council deem such assistance necessary, appoint a deputy, who shall give a bond as required of his principal and whose salary shall not exceed the sum of nine hundred dollars (\$900) per annum.

39. § 26. The Treasurer shall be required to give bonds in not less than three hundred thousand (\$300,000) dollars or he may be required to give bond in double the sum of money estimated by the council to be at any time in his hands, belonging to the city and school districts, and he shall be the custodian of all moneys belonging to the corporation; he shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto; he shall give every person paying money into the treasury a receipt therefor, specifying date of payment, and

on what account paid; he shall also file copies of receipts, with his monthly reports; he shall, at the end of each and every month, and as often as may be required, render an account to the City Council, under oath, showing the state of the treasury at the date of each account, the amount of money remaining in such fund, and the amount paid therefrom, and the balance of money in the treasury; he shall also accompany such accounts with a statement of all the receipts and disbursements, together with all warrants redeemed and paid by him, which said warrants, with any and all vouchers held by him, shall be filed with his said account in the Clerk's office, and if said Treasurer neglect or fail for the space of thirty days from the end of any month to render his said account, his office may, by resolution of the Mayor and Council, be declared vacant, and the City Council shall fill the vacancy by appointment until the next election for city officers. The Treasurer may employ and appoint a deputy who shall be allowed a salary of not more than twelve hundred (\$1,200) dollars per annum, and an assistant at not more than nine hundred (\$900) dollars per annum, to be fixed by the council at the time of his employment, and the Treasurer shall be liable upon his bond for the acts of such deputy.

40. § 27. The City Attorney shall be the legal adviser of the Council and city officers; he shall commence, prosecute, and defend suits and actions commenced, prosecuted, or defended on behalf of the corporation, shall attend all meetings of the Council and give them his opinion upon any matter submitted to him, either orally or in writing as may be required; *Provided*, That he shall not be required to prosecute complaints for offenses against the city ordinances in Police Court, except on the request of the Mayor, Council, or Police Judge. And provided further, that in case any citizen or citizens shall be of opinion that any civil liability, arising out of contract or otherwise, exists in behalf of the city, against any person, persons or incorporation, he or they may demand of the City Attorney that he begin and prosecute an action against such person, persons or incorporation in the name of said city, for the enforcement of such liability or the recovery of any amount or property to which the city may in his or their opinion, be entitled by reason thereof, and if the said city attorney shall refuse to begin and prosecute such action, or shall neglect so to do for the term of one week after such demand, it shall be lawful for the citizen or citizens making such demand, to begin and prosecute such action in the name and upon the be-

half and for the benefit of said city, upon filing, with the petition therein, an undertaking with one or more sureties, approved by the clerk of the court in which the action is brought, conditional for the payment of all the costs that may be incurred in said action, if the same shall be unsuccessful. But the city shall not in any event be liable or responsible for attorneys' or counsel fees incurred in the prosecution of any such action, and it shall be lawful for any citizen or citizens at their own expense and charge to associate any attorney or attorneys with the City Attorney in the prosecution or defense of any action to which said city may be a party.

41. § 28. The City Engineer shall make a record of the minutes of his surveys and of all work done for the city, including sewers and extensions of water system, and accurately make such plats, sections, profiles, maps, plans, details and specifications as may be necessary in the prosecution of any public work, which shall be public records and belong to the city, and be turned over to his successor.

42. § 29. The City Engineer shall make estimate of the cost of labor and materials which may be done or furnished by contract with the city, and make all surveys, estimates and calculations necessary to be made for the establishment of grades, building of culverts, sewers, waterworks, bridges, curbings and gutters, and the improvement of streets and erection and repair of buildings, and shall perform such other duties as the Council may require. Before the City Council shall make any contract for building waterworks, or any part thereof, or any sewers, bridges, or work on the streets, or any other work or improvement to cost over two hundred dollars (\$200), an estimate of the total cost thereof, together with detailed plans and specifications thereof, shall be made by the City Engineer and submitted to the Council, and if approved by the Council such plans and specifications shall be returned to the City Engineer and kept by him subject to public inspection, and the work and improvement shall be done substantially in accordance therewith, and no contract shall be entered into for any work or improvement for a price exceeding such estimate, and in advertising for bids for any such work, the Council shall cause the amount of such estimate to be published therewith. Such advertisements shall be at least ten days in some daily newspaper of general circulation, published in the city; *Provided*, That in case any such work or improvement is to be paid for by special tax or assesment, no con-

tract shall be entered into until such work or improvement shall have been requested in writing by, and the plans and specifications thereof shall have been approved by the owners of a majority of the real estate proposed to be assessed with the cost thereof, and no material change shall be made in such plans and specifications, nor any change or changes which shall increase the cost of such work above said estimate, except with the consent of a majority of the owners of real estate to be taxed therefor expressed in writing. Such majority to be estimated according to front foot or square foot as the Council may determine.

43. § 30. The Marshal shall have the immediate superintendence of the Police, and the Marshal and Policemen shall have power, and it shall be their duty to arrest all offenders against the laws of the state or of the city, by day or by night, in the same manner as a sheriff or constable, and to keep them in the city prison, or other place, to prevent their escape until a trial or examination may be had before a proper officer, and shall have the same powers as sheriffs and constables in relation to all criminal matters, and all process issued by the Police Judge.

44. § 31. The Street Commissioner shall, subject to the orders of the Mayor and Council, have general charge, direction and control of all work in the streets, sidewalks, culverts, and bridges of the city, except matters in charge of the Board of Public Works, and shall perform such other duties as the Council may require.

45. § 32. The Mayor or Council shall have power when he or they deem it necessary, to require any officer of the city to exhibit his accounts, or other paper, and to make reports to the Council in writing, touching any subject or matter they may require pertaining to his office.

46. § 33. On the passage or adoption of every resolution or order to enter into a contract, or accepting of work done under contract by the Mayor or Council, the yeas and nays shall be called and recorded, and to pass or adopt any by-laws, ordinance or any such resolution, or order, a concurrence of a majority of the whole number of members elected to the Council shall be required.

47. § 34. The Mayor and Council shall have the care, supervision, and control of all public highways, bridges, streets, alleys, public squares, and commons within the city, and shall cause the same to be kept open and in repair and free from nuisances.

48. § 35. The Mayor and Council shall have full power to

prevent forestalling, to prohibit or regulate huckstering in the market, to prescribe the kind and description of articles which may be sold and the stand or places to be occupied by vendors, and may authorize the immediate seizure and arrest or removal from the markets of any persons violating its regulations as established by ordinance, together with any article of produce in their possession, and the immediate seizure and destruction of tainted or unsound meat or other provisions. Nothing in this act contained shall be so construed as to authorize the Council to pass an ordinance for the purpose of assessing any tax, assessment, fine, or punishment upon any farmer or producer for selling at any time within the city any article of provision or vegetables grown or produced by him.

49. § 36. All claims against the city must be presented in writing with a full account of the items, verified by the oath of the claimant or his agent, that the same is correct, reasonable, and just, and no claim shall be audited or allowed unless presented or verified as provided for in this section, and read in open Council. The vote of each Councilman upon the allowance of any claim shall be entered upon the minutes; *Provided*, That no claim arising either on contract or tort exceeding the sum of twenty-five dollars shall be allowed until the same shall have been read in open Council and the name of the claimant and the amount and nature of the claim published once in a daily newspaper published and of general circulation in said city. Not more than five words shall be used in stating the nature of any such claim. Any taxpayer in such city or the claimant may, after the allowance of any claim required by this section to be published, appeal therefrom to the district court of the county in which such city is situated by giving notice of such appeal to the City Clerk within two days after the allowance of the same, and filing, within ten days after such allowance, a bond or obligation in favor of said city with the Clerk thereof, and with good and sufficient sureties, to be approved by said Clerk, conditioned that said appellant shall prosecute said appeal to effect and without any unnecessary delay, and pay all costs that may be adjudged against said appellant; and in an appeal by a taxpayer, in case the claimant finally recovers judgment for as much or a greater sum, exclusive of interest, as allowed by the council, such appellant shall pay all costs made by such appellate proceedings; and in an appeal by a claimant, in case such claimant does not recover of said city as large a sum, exclusive of inter-

est, as allowed by such council, said claimant shall pay all costs made by said appeal. The procedure of such appeal shall be in all respects as near as may be like the procedure on appeal from the county board to the District Court. In case of appeal no warrant shall issue for the payment of any claim until said appeal is finally determined. And to maintain an action against said city for any unliquidated claim it shall be necessary that the party file in the office of the City Clerk, within three months from the time such right of action accrued, a statement giving full name and the time, place, nature, circumstance, and cause of the injury or damage complained of. No appeal bond shall be required of the city by any court in any case of appeal by said city.

50. § 37. Each and every fund created by this act shall be strictly devoted to the purpose for which it was created, and shall not be diverted therefrom, and any member of the City Council voting to so divert the money in any fund shall be liable to a suit for damages for the amount of funds so diverted; *Provided*, That any surplus remaining in any fund after all obligations against the same shall have been satisfied, and which surplus is no longer required for the purpose for which such fund was created, may be transferred to any other fund by order of the Council.

51. § 38. All moneys received in any special assessment shall be held by the Treasurer as a special fund to be applied to the payment of the improvement for which the assessment was made; and such money shall be used for no other purpose whatever; *Provided*, That any surplus remaining in any fund after all obligations against the same shall have been satisfied, may be transferred to any other fund by order of the Council.

52. § 39. The fiscal year of each city shall commence on the first Monday in September.

53. § 40. The City Council shall, within the last quarter of each fiscal year, pass an ordinance to be termed the "Annual Appropriation Bill," in which such corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporations, not exceeding in the aggregate the amount of tax authorized to be levied during the then ensuing year; and in such ordinance shall specify the object and purposes for which such appropriations are made, and the amount appropriated for each object or purpose. No further appropriation shall be made

at any other time within such fiscal year, unless the proposition to make such appropriation has been sanctioned by a majority of the legal voters of such city, either by a petition signed by them, or at a general or special election duly called therefor; and all appropriations shall end with the fiscal year for which they were made; *Provided*, That the fund arising from road taxes and "bridge taxes," as in this chapter provided, shall be deemed especially appropriated, and shall not be included in the annual appropriation ordinance; *And provided further*, That nothing herein shall be construed to prohibit the Council from appropriating other money in the annual appropriation bill for the use of streets, grades, and bridges.

54. § 41. Before such annual appropriation bill shall be passed, the Council shall prepare an estimate of the probable money necessary for all purposes to be raised in said city during the fiscal year for which the appropriation is to be made, including interest and principal due on the bonded debt and sinking fund, itemizing and classifying the different objects and branches of expenditures as near as may be, with a statement of the entire revenue of the city for the previous fiscal year, and shall enter the same at large upon its minutes and cause the same to be published for one week in some daily newspaper published and of general circulation in the city.

55. § 42. The Mayor and Council shall have no power to appropriate, issue or draw any order or warrant on the Treasurer for money unless the same shall have been appropriated or ordered by ordinance, or the claim for the payment of which such order or warrant is issued has been allowed according to the provisions of this chapter, and appropriations for the class or object out of which such claim is payable, has been made as approved in section forty-one (41). Neither the City Council nor any department or officer of the corporation shall add to the corporation expenditures, in any one year, anything over and above the amount provided for in the annual appropriation bill for that year, except as herein otherwise especially provided. And no expenditure for any improvement to be paid for out of the general fund of the corporation shall exceed in any one year the amount provided for such an improvement in the annual appropriation bill. *Provided, however*, That nothing herein contained shall prevent the City Council from ordering, by a unanimous vote of all the members elect any apparatus or machinery, the necessity of which is caused by any casualty, accident or

emergency happening after such annual appropriation is made, or, by a like vote, from making necessary appropriations for quarantine or hospital purposes in case of outbreak of a virulent epidemic or contagious disease. The City Council may, by a like vote, order the Mayor to borrow a sufficient sum to provide for the expense necessary to be incurred in making any such repairs, or restoration of improvements, or purchase of apparatus or machinery, the necessity of which has arisen, as is last above mentioned, or to pay the city employes or laborers, for a space of time not exceeding the close of the next fiscal year, which sum and the interest shall be added to the amount authorized to be raised in the next general tax levy, and embraced therein.

56. § 43. All ordinances and resolutions or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all members elected to the Council. Ordinances of a general or permanent nature shall be fully and distinctly read on three different days, unless two-thirds of the Council shall dispense with the rule. No ordinance shall contain any subject which shall not be clearly expressed in its title, and no ordinance or section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section as revised or amended, and the ordinance or section so amended shall be repealed.

57. § 44. Upon allowance of claims by the Council the order for the payment shall specify the particular fund or appropriation out of which they are payable as specified in the annual appropriation bill passed in the manner hereinbefore provided, and no order or warrant shall be drawn in excess of ninety per centum of the current levy for the purpose for which it is drawn, unless there shall be sufficient money in the treasury at the credit of the proper fund for its payment, excepting as to funds raised by special assessment for public improvements. All warrants drawn upon the Treasurer must be signed by the Mayor and countersigned by the Clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable, and for what particular object; no money shall be otherwise paid than upon such warrants so drawn; each warrant shall specify the amount levied and appropriated to the fund upon which it is drawn and the amount already expended of such fund.

58. § 45. No contract shall hereafter be made by the City Council or any committee or member thereof, and no expense

shall be incurred by any of the officers or departments of the corporation, whether the object of the expenditure shall have been ordered by the City Council or not, unless an appropriation shall have been previously made concerning such expense, except as herein otherwise expressly provided.

59. § 46. No officer of any city shall be interested, directly or indirectly, in any contract to which the corporation, or any one for its benefit, is a party; and such interest in any such contract shall avoid the obligation thereof on the part of said corporation. Nor shall any officer of the city be interested, directly or indirectly, in any contract to perform any work for or furnish any material to any contractor or sub-contractor intended for use or which shall be used by the latter in the performance of any contract with the city. Nor shall any officer of the city, directly or indirectly, sell or furnish any material to such contractor or sub-contractor to be used or which shall be used by such contractor or sub-contractor in the performance of any such contract, or any employe of the city in performance thereof. Any violation of the provisions of this section shall avoid the obligation of every such contract on the part of the city and defeat any recovery for any materials so sold or furnished. Nor shall any officer receive any pay or perquisites from the city other than his salary, as provided by ordinance and this charter, and the City Council shall not pay or appropriate any money or other valuable thing to any person, not an officer, for the performance of any act, service, or duty, the doing or performance of which shall come within the proper scope of the duties of any officer of such corporation, unless the same is specially appropriated and ordered by a unanimous vote of all the members elected to the Council.

60. § 47. All ordinances shall be passed pursuant to such rules and regulations as the Council may provide, and all such ordinances may be proved by the certificate of the Clerk under the seal of the city, and when printed or published in book or pamphlet form, and purporting to be published by the authority of the city, shall be read and received in evidence in all courts and places without further proof. The passage, approval, and publication or posting of said ordinances shall be sufficiently proved by a certificate under the seal of the city, from the Clerk thereof, showing that such ordinance was passed and approved, and when and in what paper the same was published, and when and by whom, and where the same was posted up. And when ordinances are published in book or pamphlet form, purporting

to be published by authority of the City Council, the same need not be otherwise published, and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts without further proof.

61. § 48. The style of ordinances shall be: "Be it ordained by the Mayor and Council of —," and all ordinances of a general nature shall, within one month after they are passed, be published in some newspaper published within the city, or in pamphlet form, to be distributed or sold, as may be provided by ordinance, and every ordinance fixing a penalty or forfeiture for its violation shall not take effect until one week after its publication in the manner above prescribed; *Provided, however,* That in case of riots, infectious or contagious diseases, or other impending danger, or any other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the mayor, immediately upon its first publication as above provided. All other ordinances shall take effect immediately after their passage and approval, unless otherwise provided in the ordinance itself.

62. § 49. The Mayor and Council shall have power to levy and collect taxes for general purposes, not exceeding ten mills on the dollar valuation in any one year, on all real estate and personal property within the corporate limits of the city, taxable according to the laws of this state, and such tax for interest and sinking fund of the bonded debt as may be requisite and authorized by law. And the Mayor and Council shall also have power to levy and collect on all such property for the sole and exclusive purpose of maintaining and paying the Police Department of said city, not to exceed three (3) mills on the dollar valuation in any one year; taxes levied for said purposes to constitute a special fund therefor, and shall also have power to levy and collect on all such property for the sole and exclusive purpose of maintaining and paying the Fire Department of any such city, not to exceed five (5) mills on the dollar valuation in any one year; taxes levied for said purpose to constitute a special fund therefor. The valuation of such property to be taken from the assessment rolls of the proper county, and it shall be the duty of the County Clerk to permit the City Clerk to make out from the assessment rolls of the county an assessment roll for the city of all property liable to taxation as above specified, which the City Clerk shall complete on or before the third Monday in

June of each year, unless otherwise ordered by the Council; upon the completion of such copy of said assessment roll the City Clerk shall add to said roll any and all real estate in said city which is exempt from taxation for general purposes, and assess the same as near as may be to correspond with the assessed value of like property on said county roll, and enter the same in a separate column for the purpose of special assessment in said city, authorized by law, and shall be subject to equalization. The Council shall also have the power to assess, levy, and collect a poll tax, not to exceed three (3) dollars, upon every male inhabitant of said city between the ages of twenty-one (21) and fifty (50) years, sane, and not a public charge as a pauper or a member of the Police or Fire Department. The Council shall also have power to assess, levy, and collect a special tax on all dogs in the city, and the fund so arising shall be paid into the special police fund of the city. The road taxes collected from property in the city shall be paid to the City Treasurer and expended as the Council may direct.

63. § 50. The Council shall have power to act as a board of equalization for the city, to equalize all assessments, and to correct any error in the listing or valuation of property, and to supply any omissions in the same, and shall have the same power as County Commissioners have in similar cases. And when such roll is completed the Council shall hold a session of not less than five (5) days as a board of equalization, giving notice of such sitting at least six days prior thereto through a newspaper published and of general circulation in the city. The Council, sitting as such board of equalization, shall ascertain whether the valuations in one ward bear a just relation to all the wards in the city, and may increase or diminish the aggregate valuation of property in any ward by adding to or deducting such sum upon the dollar as may be necessary to produce a just relation between all the valuations of all the wards in the city, but shall in no instance reduce the aggregate valuation of all the wards below the aggregate valuations thereof as made by the assessors, neither shall it increase the aggregate valuation of all the wards, except in such amount as may be actually necessary and incidental to a proper and just equalization. And in all cases before any special tax, except sidewalk tax, shall be finally levied, it shall be the duty of the Council to sit as a board of equalization for the purpose of equalizing any such proposed levy, special taxes, or assessments, and correcting any error therein, giv-

ing notice of sitting in the same manner as provided in this section, stating in such notice the purpose for which it will sit, and it shall continue such session for not less than two (2) days, and at such session it shall hear all complaints that the owners of the property so to be assessed and taxed may make, and it shall be its duty to equalize any such assessments by correcting any errors therein, and thereupon said assessment and special taxes shall be finally levied, and the same shall be a lien upon all the property of such persons that may be listed and assessed for taxation that year; *Provided*, That no complaint that another is assessed too low shall be acted upon, and no assessment shall be increased until the person so assessed shall be notified of such complaint or of such proposed increased assessment, if a resident of the city.

64. § 51. As soon as the assessment roll shall have been equalized, and the annual levy made thereon, the City Clerk shall immediately make out a tax list, which shall be as nearly as practicable in the form prescribed by law for the tax list to be furnished County Treasurers, and he shall deliver such tax list to the City Treasurer on or before the first day of October next, after the date of the levy in each year; errors in the names of persons assessed may be corrected by the Treasurer and the tax collected from the person intended, and in case the Treasurer find that any land has been omitted in the assessment, he shall report that fact to the Council, who may assess the same and direct the correction of the tax list.

65. § 52. On the first day of January next succeeding the levy thereof, all unpaid city taxes shall become delinquent, and shall thereafter draw interest at the rate of one per centum per month. *Provided*, That if one-half of such tax is paid on or before the same becomes delinquent and the remaining one-half on or before the first day of June following, no interest shall be charged thereon. It shall be the duty of the City Treasurer to proceed, as soon as practicable, after the first day of January, to make such delinquent tax out of the personal property of such delinquent, if any such property can be found within the city; no demand of taxes shall be necessary, but it shall be the duty of every person owing any municipal tax or taxes in such city to attend at the Treasurer's office and pay the same.

66. § 53. To each tax list so delivered a warrant under the hand of the City Clerk shall be annexed, to be substantially in the following form, to-wit :

In the name and by the authority of the state of Nebraska: To City Treasurer of the city of in Nebraska. You are hereby commanded to collect from each of the persons and corporations named in the annexed tax list and the owners of the real estate described therein, the taxes set down in such list opposite their respective names, and the several parcels of land described therein; and in case any person or corporation upon whom any such tax or sum is imposed, or who by law is required to pay the same, shall refuse or neglect to pay the full amount thereof, before the first day of January next, you are to levy and collect the same by distress and sale of the goods and chattels of the person or corporation so taxed as are by law required to pay such tax.

Given under my hand and official seal this day of A. D. 18...

.....
City Clerk of the City of.....

67. § 54. Such warrant shall fully authorize and empower the City Treasurer to levy on any personal property belonging to any such delinquent, and collect therefrom any municipal taxes then due from such delinquent, and such warrant shall be a full and complete justification to the Treasurer in any action brought to recover damages or costs for any act or proceeding by him done or taken in conformity with the commands thereof.

68. § 55. The powers, rights, duties, and proceedings of the City Treasurer in cities governed by this act, and of such deputies as he may appoint, shall in all respects, as far as applicable, and except as herein otherwise provided, be the same in respect to the collection of municipal taxes and assessments as those of County Treasurers in like cases with reference to the collection of county taxes; and he shall be paid fees of one and one-half per centum of all taxes collected by him, not to exceed twelve hundred dollars per year as before limited.

69. § 56. All municipal taxes shall be collected from the personal property of the person, persons, or body corporate, owing the same, whenever the same is practicable, and whenever personal property cannot be found belonging to such person, persons, or bodies corporate, then, and in that case, all such delinquent municipal taxes as may have been levied on any real estate within such city shall be collected by the County Treasurer of the county in which such city is situated, by sale of such real estate the same as in the case of delinquent county taxes.

70. § 57. The Mayor and Council shall have full power and authority to pass any and all ordinances not inconsistent with the laws of this state that they may deem necessary to secure the speedy and thorough collection of all municipal taxes and special assessments.

71. § 58. All municipal taxes and all local special assessments in such city shall be paid in cash and warrants of said city drawn on the fund for which the same is offered; *Provided*, That coupons on any bonds of such city shall be received for any tax or assessment.

72. § 59. It shall be the duty of the City Treasurer, on or before the fifteenth day of September of each year, to make out a complete delinquent list of all lots, lands, or parcels of real estate, the taxes and assessments on which for the previous year remain uncollected at that time, with the amount of such taxes or assessments, together with penalty and interest due from each lot or parcel of real estate set opposite the same, arranging the several lots, lands, or parcels of real estate in such list in the order that they appear on the tax lists, stating also in each case the purpose for which the tax or assessment was levied. The County Treasurer shall receive such delinquent list and advertise the real estate therein described for sale for such delinquent taxes, or assessments, at the same time he advertises the sale of real estate for delinquent county taxes, by adding the amount of such delinquent city taxes and assessments to the amount of delinquent state, county, and other taxes, and he shall sell such lots, lands, or parcels of real estate for the purpose of paying all such delinquent taxes or assessments, and shall credit such city for the amount of taxes or assessments so collected, which shall be subject to the order of the Treasurer of such city. In the sale of any real estate as above provided for, and in the giving of certificates of sale and tax deeds therefor, the County Treasurer shall proceed in the same manner as is or may be provided by law for his proceedings in the sale of real estate for delinquent county taxes, and with like power and authority; and the real estate so sold may be redeemed within the time and upon the same terms and conditions in every respect as is or may be provided by law for the redemption of real estate sold for delinquent county taxes, *Provided*, That under this act the County Treasurer shall be authorized to collect only by sale of real estate; *And provided, further*, It shall be the duty of the City Treasurer, upon any taxes being collected by him after the delinquent tax

list shall have been delivered to the County Treasurer, to forthwith notify the County Treasurer of such collection that the same may be cancelled on the delinquent tax list; *Provided, further,* That the failure, neglect, or refusal of the City Treasurer to make the tax assessed against any real estate by distress and the sale of personal property of the owners thereof, shall not in any wise affect or invalidate the sale of such lands for such tax.

73. § 60. Special assessments upon real estate shall be a lien from the date of the levy and interest on all unpaid installments shall be payable annually, and municipal taxes thereon from the date fixed by the general revenue law, which lien shall be perpetual; and in case of sale of any property for such tax or special assessment the same shall be governed by the general revenue act, and the rights and limitations shall be the same as in other tax sales, except as provided in this act.

74. § 61. Irregularities in making assessments and returns thereof, in the equalization of assessments and in the mode and manner of advertising the sale of any property, shall not invalidate or affect the sale thereof, when advertised and sold for delinquent city taxes or special assessments as herein provided; nor shall the sale of any real estate for any such taxes or assessments be invalid on account of such real estate having been listed in any other name than that of the rightful owner.

75. § 62. The foregoing provisions shall apply to all taxes now due or heretofore delinquent or that may hereafter become due and delinquent. Whenever any municipal tax or taxes levied for any former year shall remain uncollected because of any defect, error or irregularity in either the power or manner of making the levy thereof, it shall be lawful for the Mayor and Council of such city to again levy the tax upon the property so delinquent, in lieu of such former tax or taxes, and at the same rate and upon the same assessment as such former tax or taxes were levied, and such tax or taxes shall be inserted in the tax list and shall be collected in the same manner as other general taxes are. The City Council may at any time correct any error or defect or supply any omission in the assessment or listing of any property subject to municipal tax, made for the purpose of taxation for the then current fiscal year, and may require any and all persons to appear and answer under oath as to their possession or control of personal property subject to municipal taxation. These provisions shall apply equally to general municipal taxes and to special as-

sessments, as far as may be applicable, unless otherwise provided in the ordinance levying the same. Special taxes and assessments shall, except deferred yearly installments for paving purposes, be deemed delinquent if not paid in fifty days after the passage and approval of the ordinances levying the same in each case, and a penalty of five (5) per cent., together with interest at the rate of one (1) per cent. a month, shall be paid on all delinquent special taxes or assessments from the time the same shall become delinquent.

76. § 63. The Treasurer of the county shall pay over on demand to the Treasurer of any city all money received by him arising from taxes levied belonging to such city, together with all money collected as a tax on dogs from the residents of such corporation, for the use of the general fund therein, and also all moneys arising from the levy of the road tax against or upon property in said city, which shall be expended upon the streets and grades in said city.

77. § 64. The City Treasurer shall receive all moneys belonging to the city, and the Clerk and Treasurer shall keep their books and accounts in such a manner as the Mayor and Council shall prescribe. The Treasurer shall keep a daily cash book, which shall be footed and balanced daily. And such books and accounts shall always be subject to inspection of the Mayor, members of the Council, and such other person as they may designate.

78. § 65. The Treasurer shall keep all moneys in his hands belonging to the city separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever. Any violation of this provision shall subject him to immediate removal from office by the City Council, who are hereby authorized to declare such office vacant; and the City Council shall appoint a successor, who shall hold his office for the remainder of the unexpired term of such officer so removed.

79. § 66. The Treasurer shall report to the Mayor and Council annually, and oftener if required, at such time as may be prescribed by ordinance, a full and detailed account of all receipts and expenditures during the preceding fiscal year, and the state of the treasury. He shall also keep a register of all warrants redeemed and paid during the year, describing such warrants, their date, amount, number, the fund from which paid, and

persons to whom paid, specifying also the time of payment, and all such warrants shall be examined by the finance committee at the time of making such annual report.

80. § 67. In addition to the powers herein granted, cities governed under the provisions of this act shall have power by ordinances:

81. I. To levy taxes for general revenue purposes, on all property within the limits of said city, taxable according to the laws of the state of Nebraska.

82. II. To levy any other tax or special assessment authorized by law, and to appropriate money, and provide for the payment of the debts and expenses of the city.

83. III. To provide for the grading and repairing of any street, avenue, or alley, and the construction of bridges, culverts, viaducts, and sewers, and shall defray the repairs of the same out of the proper fund of such city; but no street shall be graded except the same be ordered done by the affirmative vote of two-thirds of the City Council. The Mayor and Council shall have power to require any railroad company or companies, owning or operating any railroad track or tracks upon or cross any public street or streets of the city, to erect, construct, reconstruct, complete and keep in repair any viaduct or viaducts upon or along such street or streets, and over or under such track or tracks, including the approaches of such viaduct or viaducts as may be deemed and declared by the Mayor and Council necessary for the safety and protection of the public; *Provided*, that the approaches to any such viaduct, which any railroad company or companies may be required to construct, reconstruct and keep in repair, shall not exceed for each viaduct a total distance of eight hundred feet. Whenever any such viaduct shall be deemed and declared by ordinance necessary for the safety and protection of the public, the Mayor and Council shall provide for appraising, assessing and determining the damages, if any, which may be caused to any property by reason of the construction of such viaduct and its approaches. The proceeding for such purpose shall be the same as provided herein for the purpose of determining damages to property owners by reason of the change of grade of a street, and such damages shall be paid by the city, and may be assessed by the City Council, against property benefited, and the cost of approaches beyond said distance of eight hundred feet may also be assessed by the council against property benefited by reason of the construction of any

such viaduct and its approaches. The width, height and strength of any such viaduct and the approaches thereto, the material therefor, and the manner of construction thereof shall be as required by the Board of Public Works, and as may be approved by the Mayor and Council. When two or more railroad companies own or operate separate lines to be crossed by any such viaduct, the proportion thereof and the approaches thereto, to be constructed by each, or the cost to be borne by each, shall be determined by the Mayor and Council. After completion of any such viaduct, any revenue derived therefrom by the crossing thereon of street railway lines or otherwise, shall constitute a special fund and shall be applied in making repairs to such viaduct. All ordinary repairs to any such viaduct or to the approaches thereto, shall be paid out of such fund, or shall be borne by the city. *Vide* 192.

84. IV. To open, widen, or otherwise improve, vacate, care for, control, name, and re-name any street, avenue, alley, or lane, parks, and squares, within the limits of the city, and also to create, open, and improve any new street, avenue, alley, or lane; *Provided*, That all damages sustained by the owners of the property thereon shall be ascertained in the manner herein provided; *Provided further*, That whenever any street, alley, or lane shall be vacated, the same shall revert to the owners of the adjacent real estate one-half on each side thereof.

85. V. On written petition of not less than one-half of the owners of feet front of the land fronting on any street or any specified part thereof, the Mayor and Council may order such street or such specified part thereof to be sprinkled with water at such time or times as the Council may deem proper. Such sprinkling shall be done by contract, awarded to the lowest bidder in each case, or for the entire city or specified district thereof. To pay the expense of such sprinkling, the Council may make special assessments upon the lands abutting upon such street or specified part thereof, either on the valuation thereof, or listed for taxation, or by foot front. Such assessments shall be collected by special taxes.

86. VI. The Council shall have power to set aside a space designated as the sidewalk space, on each side of all streets and avenues, for sidewalks and the planting of trees and grass, and may require and regulate the planting and protecting of the trees and grass and the construction of sidewalks in such space. Such space shall extend from lot line to curb. Whenever any

street or avenue shall have been brought to the established grade or permanently improved, the Council may require the owner of the real estate adjacent thereto to bring the sidewalk space along or in front of such real estate to the established grade and to lay a sidewalk thereon of such width and materials as the Council may determine, and in case any such property owner shall refuse and neglect to cause such grading to be done or sidewalk constructed within thirty days after being notified in the manner prescribed by ordinance, the Council may order said grading to be done and said sidewalk constructed, and assess the cost thereof against the real estate in front of which the said work was done. Whenever any street or avenue shall have been brought to the established grade or permanently improved, the Council may require the owners of the real estate adjacent thereto, to bring the sidewalk space along or in front of such real estate to the established grade, and to lay a sidewalk thereon, of such width and material and in such space in said sidewalk space as the Council may determine and shall have so ordered by proper ordinances. And in case any such property owners shall refuse and neglect to cause such grading to be done or said sidewalk constructed within thirty days after being notified in the manner provided by ordinance, the Council may order said grading to be done and said sidewalk constructed in conformity with the ordinances regulating the same, and shall have power to take up and remove all walks not laid in conformity with such rules and regulations as may be prescribed. And said Council shall at the beginning of each municipal year, receive bids for the erection of all sidewalks hereinafter to be laid or re-laid as provided herein, and shall award therefor a contract to the lowest bidder for the year, and said contractor shall be required to lay or re-lay all sidewalks as ordered by the said Council in accordance with the ordinances of said city and the said contractor shall receive his pay for such work from the assessments against the real estate in front of which the said work was done; and that the cost of all such work, laying and re-laying such walks in conformity with such ordinances shall be assessed against the real estate in front of which the said work was done. And the City Treasurer of said city shall pay over to such contractor upon order of the Council all assessments or special taxes against such real estate collected, together with the interest and penalty collected thereon which shall in each case be full compensation to such contractor for any work so done

under his said contract along and in front of any property upon which said assessment or tax shall have been collected. The Council may by ordinance provide for the laying of temporary plank sidewalks upon the natural surface of the ground upon streets not brought to the established grade, and in case of refusal or neglect of any property owner, in front of or along the side of whose lot such sidewalk may be ordered, to construct the same within thirty days after being served with notice in the manner prescribed by ordinance, the Council may cause the same to be constructed and assess the cost thereof on the property in front of which the same shall be laid. In case any property owner shall refuse or neglect to repair the sidewalk adjacent to his property within two (2) days after being notified so to do in the manner prescribed by ordinance, the proper officer may cause said walk to be repaired, and shall report the cost thereof to the Council, when the same may be assessed against such property. The cost of grading sidewalk space, and the construction, replacement or repair of sidewalks as herein provided, shall be assessed at a regular meeting of the Council, by a resolution fixing the cost of such grading, construction, or repairs along the lot adjacent thereto, as a special assessment thereon, and the amount charged against the same, with the vote thereon by yeas and nays, shall be spread at length upon the minutes. Notice of the time of holding such meeting, and the purpose for which it is held shall be published once in some newspaper published and of general circulation in said city, at least five days before the same shall be held, or in lieu thereof, personal service may be had upon the persons owning the property to be assessed. All such assessments shall be known as special sidewalk assessments, and, with the cost of notice, shall be levied and collected as a separate tax, in addition to the taxes for general revenue purposes, subject to the same penalties, and collected in like manner as other city taxes, but such special assessment shall draw interest at one (1%) per cent. per month. The same shall be certified by the City Clerk to the City Treasurer, who shall place the same on the tax list of the current year against such property. It is hereby made the duty of all real estate owners and occupants to keep the sidewalk along side or in front of the same in good repair and free from snow and ice and other obstructions, and they shall be liable for all damages or injuries occasioned by reason of the defective condition of any such sidewalk.

87. VII. To raise revenue by levying and collecting a license tax on any corporation or business within the limits of the city, and regulate the same by ordinance, except as otherwise in this act provided. All such taxes shall be uniform in respect to the class upon which they are imposed; *Provided, however,* That all scientific and literary lectures and entertainments shall be exempt from such taxation, as well as concerts and all other musical entertainments given exclusively by the citizens of the city.

88. VIII. To regulate, license, or prohibit the running at large of dogs, and guard against injuries or annoyances therefrom, and to authorize the destruction of the same when running at large contrary to the provisions of any ordinance.

89. IX. To remove all obstructions from the sidewalks, curbstones, gutters, and cross-walks at the expense of the owners or occupiers of the grounds fronting thereon, or at the expense of the person placing the same there, and to regulate the building of bulk-heads, cellars, and basement ways, stairways, railways, window and doorways, awnings, hitching posts and rails, lamp posts, awning posts, and all other structures projecting upon or over adjoining excavation through and under the sidewalks in said city.

90. X. To compel persons to fasten their horses or other animals attached to vehicles while standing in the streets and provide penalties for the neglect thereof.

91. XI. To regulate the transportation of articles through the streets, and to prevent injuries to the streets from overloaded vehicles.

92. XII. To prevent and remove all encroachments into and upon all sidewalks, streets, avenues, alleys, and other city property, and to prevent and punish all horse-racing, fast driving, or riding in the streets, highways, alleys, bridges, or place in the city, and all games, practices, or amusements therein likely to result in damage to any person or property; to regulate, prevent, and punish the riding, driving, or passing of horses, mules, oxen, cattle, or other teams, or any vehicle drawn thereby, over, upon, or across sidewalks, or along any street of the city; to regulate and prevent the use of streets, sidewalks, and public grounds, for signs, sign posts, awnings, telegraph, telephone, or other poles, racks, bulletin boards, and the posting of hand bills and advertisements; to regulate traffic and sales upon the street, sidewalks, and public places; to punish and prohibit cruelty to animals; to regulate and prevent the moving of buildings through or upon the streets.

93. XIII. To make contracts with and authorize any person, company, or association to erect gas works, electric or other light works, in said city, and give such persons, company, or association the privilege of furnishing light for the streets, lanes, and alleys of said city, for any length of time not exceeding five years.

94. XIV. To provide for the lighting of streets, laying down of gas pipes, and erection of lamp posts, and to regulate the sale and use of gas and electric or other lights, the charge therefor, and the rent of gas meters within the city, and to require the removal from the streets, avenues, and alleys, and the placing under ground of all telegraph, electric, and telephone wires.

95. XV. To regulate levees, depots, depot grounds, and places for storing freight and goods, and to provide for and regulate the passage of railways through the streets and public grounds of the city, reserving the rights of all persons injured thereby.

96. XVI. To regulate the crossing of railway tracks, and to provide precautions and prescribe rules regulating the same, and to regulate the running of railway engines, cars, and trucks within the limits of said city, and prescribe rules relating thereto, and govern the speed thereof, and to make any other and further provisions, rules, and restrictions to prevent accidents at the crossings and on the tracks of railways, and to prevent fires from engines, and to regulate and prescribe the manner of running street cars, to require the heating and cleaning of the same, and to fix and determine the fare charged. To require the lighting of any railway within the city, the cars of which are propelled by steam, in such manner as they shall prescribe, and fix and determine the number, style, and size of the lamp posts, burners, lamps, and all other fixtures and apparatus necessary for such lighting, and the points of location for such lamp posts, and in case the owner owning or operating such railway shall fail to comply with such requirements, the Council may cause the same to be done, and may assess the expense thereof against such company, and the same shall constitute a lien on any real estate belonging to such company and being within such city, and may be collected in the manner as taxes for general purposes; to require railroad companies to keep flagmen at all railroad crossings of streets, and to provide protection against the injury to persons and property in the use of such railroads; to compel any

railroad to raise or lower their railroad tracks to conform to the general grade which may at any time be established by such city, and where such tracks run lengthwise through or over any street, alley, or highway, to keep the same level with the street surface; to compel and require railroad companies to keep open the streets, and to construct and keep in repair ditches, drains, sewers, and culverts, along and under their railroad tracks, and to pave their whole right of way on all paved streets, and keep the same in repair.

97. XVII. To exercise the power of eminent domain and to take private property for public use, within or without the city, for the purpose of erecting or establishing market houses and market places, streets, hospitals, public buildings, cemeteries, or for any necessary or authorized public purpose; *Provided, however,* That in all cases the city shall make the person or persons whose property shall be taken or injured thereby adequate compensation therefor, to be determined by proceedings instituted in the county court and conducted as by law provided for condemnations by railway companies.

98. XVIII. To establish and maintain public libraries and reading rooms, to purchase books, papers, maps, and manuscript therefor, and to receive donations and bequests of money or property for the same, in trust or otherwise, and pass necessary by-laws and regulations for the protection and government of the same.

99. XIX. To purchase, hold, and improve public grounds and parks within or without the limits of the city, and provide for the protection and preservation of the same, and to provide for the planting and protection of shade or ornamental and useful trees; *Provided,* That in case the cost of any such improvement shall exceed the sum of \$5,000 it shall not be authorized until the ordinance providing therefor shall first be submitted to and ratified by a majority of the legal voters voting thereon.

100. XX. To borrow money on the credit of the city and to pledge the credit, revenue, and public property of the city for the payment thereof, when authorized in the manner herein provided.

101. XXI. To provide for issuing bonds for the purpose of funding any and all indebtedness now existing or hereafter created of the city, now due or to become due, when the same shall have been authorized by a vote of the people; *Provided,* That the Mayor and Council shall not fund any bonded debt at a higher rate. Such bonds shall be redeemable after ten years, at the option of the city.

102. XXII. To make provisions for a sinking fund to pay accruing interest, and to pay at maturity the principal of the bonded indebtedness of the city, and to levy and collect taxes on all taxable property in the city, in addition to other taxes for the purpose of paying the same, and to provide that the said tax shall be paid in cash; and whenever any city has heretofore issued bonds by virtue of any special authority derived from the legislature of the territory or state, the council shall have the power to levy and collect taxes for the purpose of paying such bonds as is provided in the laws giving such authority.

103. XXIII. To divide the city into wards, establish the boundaries thereof, and number the same.

104. XXIV. To provide for the registration of voters, and may prohibit persons from voting at any or all city elections who shall not have first complied with such regulations and have been registered as required by such ordinance. Such ordinance or ordinances may be repealed, re-enacted, and amended from time to time, as in other cases; *Provided*, That the registration of the last general election shall be valid for any special election. To appoint judges and clerks of elections provided by ordinance for the election of city officers, and prescribing the manner of conducting the same, and the returns thereof, and for deciding contested elections, and for holding special elections for any purpose herein provided and to fix a compensation of all officers of election. To regulate the holding of primary elections, at which no person shall be permitted to vote, except such person be an elector of the city and affiliated with the political party holding such primary election at the last prior general election, that judges at such primary elections shall be sworn, and may administer oaths, and that any persons violating the regulations so established, or who, being disqualified, shall vote at such primary election, or who shall aid, counsel, or abet any disqualified person in voting thereat, may be fined in any sum not exceeding one hundred (100) dollars and shall stand committed until such fine and costs are paid, and shall be disqualified to vote at any city or primary election for the period of one year thereafter.

105. XXV. To provide for removing officers of the city for misconduct, whose offices are created and made elective by this act, and to provide for filling such vacancies as may occur in any elective office by appointment by the Mayor, by assent of the Council, to hold until the next general election.

106. XXVI. To regulate and prescribe the powers and

duties and the compensation of the officers of the city not herein provided for.

107. XXVII. To require all officers or servants elective or appointive in pursuance of this act, except police officers, to give bond and security for the faithful performance of their duties. No officer shall become security upon the official bond of another, or upon any contractor's bond, license, or appeal bond given to the city, or under any ordinance thereof, or from convictions in the Police Court.

108. XXVIII. To require from any officer of the city, at any time, a report in detail of the transactions in his office or of any matters connected therewith.

109. XXIX. To provide for and cause to be taken the census of the city.

110. XXX. To purchase and own grounds for, and to erect and establish market houses and market places, and to regulate and govern the same, to prescribe the fees to be charged persons for stalls therein, provided that the revenue so derived shall be applied, First, to the payment of the salaries of officers appointed to take charge of said market house; Second, to the payment of repairs of said market house, and Third, to the payment of the cost of erecting said market house; and after all salaries, repairs, and costs of construction have been paid, the surplus, if any remaining, shall be disposed of as the Council shall direct, and also to contract with any person or persons, or association of persons, companies, or corporations, for the erection and regulation of said market houses and market places, on such terms and conditions and in such manner as the Council may prescribe, and raise all necessary revenue therefor as herein provided; and they may locate such market houses and market places and buildings aforesaid on any streets, alleys, or public grounds, or on any land purchased for such purpose; and to provide for the erection of all other useful and necessary buildings for the use of the city, and for the protection and safety of all property owned by the city; *Provided*, That any such improvement costing in the aggregate a sum greater than five thousand dollars shall not be authorized until the ordinance providing therefor shall be first submitted to and ratified by a majority of the legal voters voting thereon.

111. XXXI. To fix the rate of tax to be paid for the use of water furnished by the city, or any person or corporation by means of water works, and provide by ordinance that any tax

for the use of water furnished by said city shall be a lien on the property where same is furnished.

112. XXXII. To establish, alter, and change the channel of water courses, and to wall and cover them over, to establish, make, and regulate public wells, cisterns, aqueducts, and reservoirs of water, and to provide for filling the same.

113. XXXIII. To provide for the organization of a fire department, to procure fire engines, hooks, ladders, buckets, and other apparatus, and to organize fire engine, hook and ladder and bucket companies, and to prescribe rules of duty and the government thereof, with such penalties as the Council may deem proper, not exceeding one hundred dollars, and to make all necessary appropriations therefor, and to establish regulations for the prevention and extinguishment of fires. To prescribe limits within which no building shall be constructed except of brick, stone, or other incombustible material, with fireproof roof, and to impose a penalty for the violation of such ordinance, and to cause the destruction or removal of any building constructed or repaired in violation of such ordinance; and after such limits are established no special permits shall be given for the erection or reparation of buildings of combustible material. To regulate the construction and inspection of and order the suppression of and cleaning of fire places, chimneys, stoves, stove-pipes, over boilers, kettles, forges, or any apparatus used in any building, manufactory, or business which may be dangerous in causing or promoting fires, and to prescribe limits within which dangerous or obnoxious and offensive business may not be carried on.

114. XXXIV. To establish standard weights and measures, and regulate the weights and measures to be used in the city, and to regulate the weighing and measuring of every commodity sold in the city, in all cases not otherwise provided by law, and to prohibit and punish the use of imperfect weights, measures, and weighing apparatus.

115. XXXV. To provide for the inspection and weighing of hay, grain, and coal, the measuring of wood and fuel to be used in the city, and to determine the place or places of the same, and to regulate and prescribe the place or places of exposing for sale, hay, coal, and wood; to fix the fees and duties of persons authorized to perform such duties.

116. XXXVI. To impose fines, forfeitures, and penalties for the breach of any ordinance, and also for the recovery and collection of the same, and in default of payment to provide for

confinement in the city prison, or to hard labor in the city upon the streets or elsewhere, for the benefit of the city.

117. XXXVII. To restrain, prohibit, and suppress unlicensed tippling shops, billiard tables, bowling alleys, and houses of prostitution, opium joints, dens, and other disorderly houses and practices, games and gambling houses, desecration of the Sabbath day, commonly called Sunday, and to prohibit all public amusements, shows, exhibitions, or ordinary business pursuits upon said day, and all lotteries or fraudulent devices and practices for the purpose of obtaining money or property, and all shooting galleries and all kinds of public indecencies.

118. XXXVIII. To prevent and restrain riots, routs, noises, disturbances, or disorderly assemblies in any street, house, or place in the city; to regulate, punish, and prevent the discharge of fire-arms, rockets, powder, fireworks, or any other dangerous combustible material in the streets, lots, grounds, alleys, or about or in the vicinity of any buildings; to regulate, prevent, and punish the carrying of concealed weapons; to arrest, regulate, punish, fine, or set at work on the streets or elsewhere, all vagrants and persons found in said city without visible means of support or some legitimate business; to regulate and prevent the transportation of gunpowder or other explosive or combustible articles, tar, pitch, rosin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, dynamite, petroleum, or any of the productions thereof, and other material of like nature, and the use of lights in stables, shops, or other places, and the building of bonfires; to regulate and prohibit the piling of building material or any excavation or obstruction in the street.

119. XXXIX. To provide for the punishment of persons disturbing the peace and good order of the city by clamor and noise, by intoxication, drunkenness, fighting, or using obscene or profane language in the streets, or other public places, or otherwise violating the public peace by indecent and disorderly conduct or by lewd or lascivious behavior.

120. XL. To provide for the punishment of vagrants, tramps, or common street beggars, common prostitutes, habitual disturbers of the peace, pickpockets, gamblers, burglars, thieves, watch stuffers, ball game players, persons who practice any game, trick, or device with intent to swindle; persons who abuse their families, and suspicious persons who can give no reasonable account of themselves.

121. XLI. To require any and all lots or pieces of ground

within the city to be drained or filled, so as to prevent stagnant water or any other nuisance accumulating thereon, and upon the failure of the owners of such lots or pieces of ground to fill or drain the same when so required, the Council may cause such lots or pieces of ground to be drained or filled, and the cost and expenses thereof shall be levied upon the property so filled or drained, and collected as any other special tax.

122. XLII. To prevent any person from bringing, having, depositing, or leaving upon or near his premises, or elsewhere within the city, any dead carcass, or putrid beef, pork, fish, hides, or skins of any kind, or any other unwholesome substance, and to compel the removal of the same.

123. XLIII. To regulate, license, or suppress halls, opera houses, churches, places of amusement, entertainment, or instruction, or other building used for the assembly of citizens, and to cause them to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances for the extinguishment of fire, and for escape from such place in case of fire, and to prevent the overcrowding, and to regulate the placing and use of seats, chairs, benches, scenery, curtains, blinds, screens, or other appliances therein, and to provide that for any violation of any such regulation a penalty of two hundred dollars shall be imposed, and that upon conviction of any such licensee of any violation of any ordinance regulating such places, the license of any such place shall be revoked by the Mayor and Council; and whenever the Mayor and Council shall by resolution declare any such place to be unsafe, the license thereof shall be thereby revoked, and the Council may provide that in any case where they have so revoked a license, any owner, proprietor, manager, lessee, or person opening, using, or permitting such place to be opened or used for any purpose involving the assemblage of more than twelve persons, shall upon conviction thereof be deemed guilty of a misdemeanor, and fined in any sum not exceeding two hundred dollars.

124. XLIV. To prescribe the thickness, strength, and manner of constructing stone, brick, and other buildings, and prescribe the number and construction and means of exit and entrance and the number and construction of fire escapes, and to require the keeper or proprietor of any hotel, boarding house, or dormitory to provide and maintain such sufficient and such number of ladders, ropes, balconies, and stairways, and other appli-

ances as by ordinance may be prescribed to facilitate the escape of persons from any such buildings in case of fires.

125. XLV. To regulate or prohibit the running at large of cattle, hogs, horses, mules, sheep, goats, dogs, and other animals, and to cause such as may be running at large to be impounded and sold to discharge the costs and penalties provided for the violation of such prohibitions, and the fees and expense of impounding and keeping the same, and of such sale.

126. XLVI. To provide for the erection of all needful pens, pounds, and buildings for the use of the city, within or without the city limits, and to appoint and compensate keepers thereof, and to establish and enforce rules governing the same.

127. XLVII. To regulate, license, or prohibit the sale of domestic animals, or of goods, wares, and merchandise, at public auction on the streets, alleys, highways, or any public grounds within the city; to regulate or license the auctioneering of goods, wares, and merchandise.

128. XLVIII. To make regulations to prevent the introduction of contagious, infectious, or malignant diseases into the city, and to create a Board of Health, to make quarantine laws for that purpose, and to enforce the same within five miles of the city.

129. XLIX. To erect, establish, and regulate work houses and poor houses, houses of correction, jails, station houses, and other necessary buildings, and to provide for the government and support of the same.

130. L. To made regulations to secure the general health of the city; to prescribe rules for the prevention, abatement, and removal of nuisances; to make and prescribe regulations for the construction, location and keeping in order of all slaughter houses, stock yards, warehouses, stables, or other places where offensive matter is kept, or is likely to accumulate, within the corporate limits, or within five miles thereof.

131. LI. To purchase, hold, and pay for, in the manner herein provided, lands not exceeding eighty acres, in one body, outside of the limits of such city, for the purpose of the burial of the dead, and all necessary grounds for hospital grounds and water works, and to have and exercise police jurisdiction over the same, and over any cemetery lying near said city, and used by inhabitants thereof.

132. LII. To survey, plat, map, grade, fence, ornament, and otherwise improve all burial and cemetery grounds, and avenues

leading thereto owned by such city; to construct walks, rear and protect ornamental trees therein, and provide for paying the expenses thereof.

133. LIII. To convey cemetery lots owned by such city, by certificates signed by the Mayor and countersigned by the Clerk under the seal of the city, specifying that the person to whom the same is issued is the owner of the lot or lots described therein by number as laid down on such plat, or map, for the purpose of interment, and such certificate shall vest in the proprietor, his or her heirs and assigns, a right in fee simple to such lot for the sole purpose of interment, under the regulation of the City Council, and such certificate shall be entitled to be recorded in the office of the Register of Deeds of the proper county without further acknowledgment, and such description of lots shall be deemed and recognized as sufficient description thereof.

134. LIV. To limit the number of cemetery lots which shall be owned by the same person at the same time; to prescribe rules for enclosing, adorning, and erecting monuments and tomb stones on cemetery lots; to prohibit any diversion of the use of such lots and any improper adornment thereof, but no religious test shall be made as to the ownership of lots, the burial therein, or the ornamentation of graves or lots.

135. LV. To pass rules and ordinances imposing penalties and fines not exceeding one hundred dollars, regulating, protecting, and governing the cemetery, the owners of lots therein, visitors thereof, and trespassers therein. And the officers of such city shall have as full jurisdiction and power in the enforcing of such rules and ordinances as though they related to the city itself.

136. LVI. To make all such ordinances, by-laws, rules, regulations, and resolutions not inconsistent with the laws of the state as may be expedient, in addition to the special powers in this section granted, maintaining the peace, good government, and welfare of the city, and its trade, commerce, and manufactories, and to enforce all ordinances by inflicting penalties for the violation thereof, not exceeding one hundred dollars for any one offense, recoverable with costs, together with judgment of imprisonment, until the amount of said judgment and costs shall be paid.

137. LVII. To elect one of their own body, who will be styled the "President of the Council," and who shall preside at all meetings of the Council in the absence of the Mayor, and in the absence of the Mayor and President to elect one of their own

body to occupy his place temporarily, and who shall be styled "Acting President of the Council;" and the President or Acting President, when occupying the place of Mayor, shall have the same privileges as other members of the Council, and all acts of the President or Acting President, while so acting, shall be as binding upon the Council and upon the city as if done by the Mayor.

138. LVIII. To provide for the revision of the ordinances from time to time and for their publication in pamphlet or book form, with or without the statutes relative to cities governed by this act.

139. LIX. To purchase or otherwise acquire ground for and erect, establish, regulate, and repair a city hospital, and when authorized thereto by a vote of a majority of the electors at any election, may issue bonds of the city for an amount not exceeding in any one year the sum of \$10,000 for that purpose.

140. LX. The management, direction, and control of such hospital, when completed and ready for use, and the furnishing thereof, shall be vested in a board of commissioners, called the "Board of Hospital Commissioners," subject to the ordinances of the Council. Such board shall consist of the Mayor, who shall by virtue of his office be its president, and one trustee from each ward, appointed by the Mayor with the consent of the Council, each of which commissioners shall be a resident freehold elector of the city, and they shall not receive any compensation for their services. The term of the appointed members of the board shall be three years, but when any such board is first organized the Mayor shall appoint two members for one year, two for two years, and two for three years respectively, and thereafter two members shall be appointed each year for the full term of three years. A majority of the board shall constitute a quorum.

141. LXI. The board shall hold regular meetings at such time and place as may be agreed upon, and cause to be kept a full record of its proceedings. It shall have power to employ a superintendent, steward, and nurses and such other employes as the Council may provide. The steward shall act as clerk of the board. The compensation of all employes shall be fixed by the Mayor and Council, and the board shall have power to contract for all necessary supplies for such hospital.

142. LXII. The board shall establish such rules for the government of such hospital and the admission of persons to its privileges as it may deem expedient. It shall also appoint a

corps of four physicians and four surgeons, who shall be removable at the pleasure of the board and who shall be qualified and reputable members of their profession, and who shall receive no compensation. One of said physicians and surgeons shall be in daily attendance for three months in succession of each year, and meetings of the full corps for consultation shall be held whenever deemed necessary by the number then in attendance. No religious or sectarian association, organization, or body shall be permitted to manage or control said hospital.

143. LXIII. The Council may enter into an agreement with a corporation or association, organized for charitable purposes in such municipal corporation for the erection and management of a hospital for the sick and disabled, and have a permanent interest therein, to such an extent and upon such terms and conditions as may be agreed upon between the Council and such corporation or association. And the Council shall provide for the payment of the amount agreed upon, for any interest therein so acquired, either in one payment or in installments, or so much from year to year as the parties may stipulate; *Provided*, Such agreement shall not be made if the city shall have exercised the powers conferred by the preceding subdivisions of this section, and established a hospital as therein provided.

144. § 69. The Council shall have power to open, extend, widen, narrow, grade, curb, gutter, and pave, or otherwise improve and keep in good repair, or cause the same to be done, in any manner they may deem proper, any street, avenue, or alley within the limits of the city, and may grade partially or to the established grade, or park, or otherwise improve any width or part of any street, avenue, or alley, and to defray the cost and expense of such improvements or any of them, the Mayor and Council of such city shall have power and authority to levy and collect special taxes and assessments upon the lots and pieces of ground adjacent to or abutting upon the street, or alley thus in whole or in part opened, widened, curbed and guttered, graded, parked, extended, constructed or otherwise improved or repaired, or which may be specially benefited by any of said improvements; *Provided*, That the above provisions shall not apply to ordinary repairs of streets or alleys; *Provided, further*, That where any street is to be graded under the provisions of this section, but not to the established grade, it shall be done only after the owners representing three-fifths (3-5) of the front feet of the property abutting on the part of such street to be so partially graded

shall have petitioned the City Council for such work to be done; *Provided further*, That curbing and guttering shall not be ordered or required to be laid on any street, avenue, or alley not ordered to be paved, except on a petition of three-fifths (3-5) of the owners of the property abutting along the line of that portion of the street, avenue, or alley to be curbed and guttered. The Mayor and Council of any city governed by this act shall have power to pave, repave, or macadamize any street or alley or part thereof, in any city, and for that purpose to create suitable paving districts, which shall be consecutively numbered, such work to be done under contract and under the superintendence of the Board of Public Works of the city. Such work shall be ordered done only after the owners of lots or lands abutting upon the streets or alleys within any paving district, representing three-fifths (3-5) of front feet thereon, shall have petitioned the Council to pave, repave, or macadamize such streets or alleys, and in all cases of paving, repaving, or macadamizing, there shall be used such material as such majority of owners shall determine upon; *Provided*, The Council shall be notified in writing by said owners of such determination, within thirty days next after the passage and approval of the ordinance ordering such paving, repaving, or macadamizing. In case such owners fail to designate the material they desire used in such paving, repaving, or macadamizing, in the manner and within the time provided above, the Mayor and Council shall determine upon the material to be used. The cost of grading, paving, macadamizing, or repaving the streets and alley within any paving district, except the intersection of streets and space opposite alleys within such districts, shall be assessed upon the lots and lands especially benefited thereby in such district, in proportion to such benefits to be determined by the Mayor and Council under the provisions of this act. The assessment of the special taxes for paving purposes herein provided for shall be made as follows: The total cost of the improvement shall be levied at one time upon the property, and become delinquent as hereinafter provided: One-tenth (1-10) of the total amount shall become delinquent in fifty (50) days after such levy, one-tenth (1-10) shall become due in one year, one-tenth (1-10) in two years, one-tenth (1-10) in three years, one-tenth (1-10) in four years, one-tenth (1-10) in five years, one-tenth (1-10) in six years, one-tenth (1-10) in seven years, one-tenth (1-10) in eight years, one-tenth (1-10) in nine years. Each of said installments, except the first, shall become

delinquent fifty (50) days after becoming due, and shall draw interest at the rate of six per cent. (6%) per annum from the time of the levy aforesaid, payable annually until the same shall become delinquent, and after the same shall become delinquent a penalty of one per cent. (1%) the first month, two per cent. (2%) the second month, and thereafter until paid, shall be paid thereon, as in the case of other special taxes. The Council shall have power to require owners of real estate adjacent to any street about to be paved, to lay service pipe to connect such real estate with city water mains, and in case any such owner shall neglect or refuse to lay the same before such paving is laid, the Council may cause such service pipe to be laid, and assess the cost thereof in the same manner as assessments for sidewalks. Such taxes shall be collected and enforced as in other cases of special taxes. In all cases of special taxes the City Treasurer shall have authority, after the same or any part thereof shall have become delinquent, to seize personal property of the person who owns the real estate upon which such taxes have been levied, and to sell such personal property for the satisfaction of such taxes, upon the same advertisement and in the same manner that constables are now authorized by law to seize and sell personal property upon execution; but failure to seize and sell personal property shall in no wise affect the lien of the tax or any proceedings authorized by law to enforce the tax. In case of omissions, errors, or mistakes in making such assessments or levy in respect to the total cost of the improvement, or deficiencies, or otherwise it shall be competent for the Council to make a supplemental assessment and levy to supply such deficiencies, omissions, errors, or mistakes. The cost of grading, paving, macadamizing, or repaving the intersection of streets and spaces opposite alleys or in any paving district shall be paid by the city as hereinafter provided, but nothing herein contained shall be hereby construed to exempt any street or any other railway company from paving or repaving its whole right of way, including all space between one foot beyond the outer rails, at its own cost, whenever any street shall be ordered graded, paved, or repaved by the Mayor and Council of the city, as provided by law; *Provided*, That in lieu of the above and until January 1st, 1893, such street railways shall only be required to pave between the rails of each track. For the purpose of paying the cost of grading, paving, macadamizing, or repaving the streets and alleys in any paving district exclusive of the intersections of streets and spaces opposite alleys therein, the

Mayor and Council shall have power and may by ordinance cause to be issued bonds of the city, to be called "District paving Bonds of District No." payable in not exceeding ten years from date, and to bear interest payable annually, not exceeding the rate of six per cent., per annum, with interest coupons attached, and in such cases shall also provide that such special taxes and assessments shall constitute a sinking fund for the payment of said bonds and interest; *Provided*, That the entire cost of grading, paving, repaving, or macadamizing any such streets or alleys, properly chargeable to any lots or lands within any such paving district according to the front feet thereof, may be paid by the owner of such lots or lands within fifty days from the levy of such special taxes, and thereupon such lots or lands shall be exempt from any lien or charge therefor, and if said assessment or any part thereof shall fail or for any reason be invalid, the Mayor and Council may make other and further assessments upon said lots or lands as may be required to collect from the same the cost of any grading, paving, or macadamizing, properly chargeable thereto as herein provided. Whenever the Mayor and Council deem it expedient they shall have power for the purpose of paying the cost of grading, paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in the city, to issue bonds of the city to run not more than twenty years, and to bear interest payable semi-annually, at a rate not exceeding six per cent. per annum, with coupons attached, to be called "Paving Bonds," and the proceeds of which shall be used for no other purpose than paying for the cost of grading, paving, repaving, or macadamizing the intersections of streets and alleys in the city; *Provided*, That the aggregate amount of such bonds issued in one year shall not exceed the sum of fifty thousand (\$50,000) dollars; *And provided, further*, That no such bonds shall be issued until the question of issuing the same has been submitted to the electors of the city, at a general or special election therein, and authorized by a vote of the majority of the electors voting at such election. *Provided, further*, That in all cases in which any city shall have prior to the passage of this act issued and disposed of bonds for the purpose hereinbefore provided to provide a fund for payment of paving or curbing in compliance with the terms of contract therefor, and by reason of delay of the contractor in completing such contract, any of said bonds shall have matured, or shall mature, before the city shall have

been able to levy a tax for payment thereof, and the city may have paid, or shall pay said bonds from the proceeds of said sale to prevent default thereof, or that any be still overdue and unpaid, in such cases said bonds may be re-issued to mature at such times beyond the maturity of all other bonds of the same series as the assessments made for such improvement will meet the re-issued bonds when mature. And *Provided, further*, That hereafter no bonds shall be issued or sold except as, and when, the obligations of the city require the payment of the money by the city. If in any city governed by this act there shall be any real estate not subject to assessment or special taxes for paving purposes, the Mayor and Council shall have power to grade and pave in front of the same and to pay the cost thereof that would otherwise be chargeable on such real estate in the same manner as herein provided for the grading and paving of intersections of streets and paying therefor. The word "lot," as in this act used, shall be taken to mean a "lot" as described and designated upon the recorded plat of such city, and in case there is no recorded plat of any such city it shall mean a lot as described and designated upon any generally recognized map of such city. The word "land" shall mean any subdivided real estate; *Provided*, That if the lots and real estate abutting upon that part of the streets ordered graded, paved, repaved or macadamized as shown upon any such recorded plat or map are not of a uniform depth, or if for any other reason it shall appear just and proper to the Mayor and Council, the Mayor and Council are authorized and empowered to determine and establish the depth to which the real estate shall be charged and assessed, with the cost of improvement, which shall be determined and established according to the benefits accruing to the property by reason of the improvement. Real estate may be so charged and assessed to a greater depth than the depth of the lots as shown upon any such map or plat. The Mayor and Council may, in determining whether the requisite majority of owners who are hereinbefore authorized to petition for grading, paving, repaving, or macadamizing and determine the kind of material to be used therefor, have joined in such petition and determination, consider and take into account all the owners of real estate to be charged and assessed with the cost of improvement. The provisions of this section in regard to the depth to which the real estate may be charged and assessed shall apply to all special taxes that may be levied, in proportion to the foot front in

cities governed by this act. Whenever curbing, or curbing and guttering is done upon any street or avenue in any paving district in which paving has been ordered, and the Mayor and Council shall deem it expedient so to do, they shall have the power and authority, for the purpose of paying the cost of such curbing and guttering, to cause to be issued bonds of the city, to be called "Curbing and Guttering Bonds," of paving district No. payable in not exceeding ten years from date, and to bear interest, payable annually, not exceeding the rate of six per cent per annum, with interest coupons attached, and in such cases shall assess at one time the total cost of such curbing, and guttering or curbing as the case may be, upon the property abutting or adjacent to the portion of the street or avenue so improved, according to special benefits, such assessment to become delinquent the same as special taxes for paving purposes, and to draw the same rate of interest and to be subject to the same penalties and may be paid in the same manner as special taxes for paving purposes, and the special tax so assessed shall constitute a sinking fund for the payment of said bonds and interest. All grading, paving, macadamizing, curbing, or guttering, of any streets, avenues or alleys in the city for which, or part thereof, a special tax shall be levied, shall be done by contract with the lowest responsible bidder, to be determined by the Council. *Provided*, That whenever the property owners representing a majority of the property in any paving district or along that portion of any street, avenue or alley to be improved, shall petition the Mayor and Council to have such grading, paving and macadamizing, curbing or guttering done by days' work the same shall be done under the direction and supervision of the Board of Public Works. *Provided, also*, that in all matters of contract with the city for work to be done or material furnished, parties contracting shall give bond to the city, with not less than two sureties in one-half the amount of said contract for the faithful performance of the same, sureties on said bonds shall be resident freeholders of the county within which said city is situated, and shall justify under oath that they are worth double the amount for which they may sign said bond, over and above all debts, liabilities, obligations and exemptions. *Provided, also*, That no contracts or extensions of contracts for a period of more than two years shall at any time be made or entered into without first having submitted the same to a vote of the people at some general or special election, held in accordance with exist-

ing laws governing the voting of bonds. Such provision shall not apply to guarantee for paving or other work done for or material furnished to said city. No action shall at any time be taken contemplating the extension or renewal of franchises heretofore granted.

145. § 70. All grading, paving, macadamizing, or guttering of any streets, avenues, or alleys in the city, for which, or any part thereof, a special tax shall be levied, shall be done by contract with the lowest responsible bidder, to be determined by the Council.

146. § 71. The cost and expense of grading, filling, paving, culverting, curbing, guttering, or otherwise improving, constructing, or repairing streets, avenues, alleys, and sidewalks at their intersection may be included in the special tax levied for the construction or improvement of any one street, avenue, alley, or sidewalk, as may be deemed best by the Council.

147. § 72. The Council shall have power to lay off the city into suitable districts for the purpose of establishing a system of sewerage and drainage; to provide such system and regulate the construction, repairs, and use of sewers and drains, and of all proper house connections and branches, and to provide penalties for any obstruction of, or injury to, any sewer or part thereof, or for violation of such regulations.

148. § 73. Special taxes may be levied by the Mayor and Council for the purpose of paying the cost of constructing such sewers or drains within the city, such taxes to be levied upon the real estate lying and being within the sewerage districts in which such sewer or drain may be situated, to the extent of benefits to such property by reason of such improvement, the benefits to such property to be determined by the Council, as in other cases of special assessments provided; and all taxes or assessments made for sewerage or draining purposes shall be levied and collected in the same manner as other special assessments, except sidewalk taxes, and shall be subject to the same penalty. And where sewers are constructed and any assessment to cover the cost thereof shall be declared void, or doubts exist as to the validity of such assessment, the Mayor and Council, for the purpose of paying the cost of such improvement, are hereby authorized and empowered to make a re-assessment of such cost on the lots and real estate lying and being within the sewerage district in which any such sewer may be situated, to the extent of the benefits to such property by reason of such improvement, and such re-

assessment shall be made substantially in the manner provided for making original assessments of like nature as herein provided, and any sums which may have been paid toward such improvement, upon any lots or real estate included in such re-assessment, shall be applied under the direction of the Council to the credit of the persons and property on account of which the same was paid, and in case the credit shall exceed the sum reassessed against such persons and property as herein provided for, the Council shall cause such excess, with lawful interest, to be refunded to the party who made payment thereof; and the taxes reassessed and not paid under a prior assessment shall be collected and enforced in the same manner as other special taxes, and shall be subject to the same penalty; *Provided*, That no sewers shall be constructed unless the owners of a majority of the real estate in such district subject to assessment therefor shall first petition therefor.

149. § 74. Special assessments or taxes made or levied to pay for local improvements, except for sidewalks, shall be made and assessed in the following manner: *First*—Such assessment shall be made by the Council at any meeting by a resolution stating the cost of the construction or repairs of the said improvement or work, and the benefit accruing to the property in the district to be taxed and the benefit to each separate piece of property taxed, which, with the vote thereon by yeas and nays, shall be recorded in a book provided for that purpose. Notice of the time of holding such meeting and the purpose for which it is to be held shall be published in some newspaper published and of general circulation in said city at least ten days before the same shall be held. After such assessment the Council shall sit as a board of equalization, as provided in section fifty of this act; *Provided*, That no property shall be taxed for an amount exceeding the special benefit accruing thereto by reason of such improvement, and if the aggregate amount of taxes which may be levied under the terms of this section shall be less than the total cost of such improvement as provided for in this act, then the excess of such cost shall be paid out of the general fund. Special taxes may be levied and collected as the improvements are completed in front of or along or upon the block or piece of ground, or at the time the improvement is entirely completed or otherwise, according as the Council shall determine. No special tax or assessment which the Mayor and Council had or shall have acquired jurisdiction to make shall be void on account of

any irregularity, defect, error, or informality in any proceeding under this act.

150. § 75. When any special tax, except sidewalk tax, is levied, it shall be the duty of the City Clerk to issue a certificate describing such lot or piece of ground by number and block, and stating the amount of special tax levied thereon, and the purpose for which such tax was levied, and when the same shall become due and delinquent, and he shall forthwith deliver a duplicate of such certificate to the City Treasurer, who shall, without delay, give at least five days notice through a newspaper published in the city, of the time when such tax will become delinquent; to every such certificate the City Clerk shall append a warrant in the usual form, requiring such City Treasurer to collect such special tax or taxes, by distress and sale of goods and chattels of the person, persons, or bodies corporate, owing any such special tax or taxes, if the same be not paid before the time fixed for the same to become delinquent, and to make his return of such warrant with his doings thereon on or before the fifteenth day of July next thereafter.

151. § 76. It shall be sufficient in any case to describe the lot or piece of ground as the same is platted or recorded, although the same belong to several persons, but in case any lot or piece of ground belong to different persons, the owner of any part thereof may pay his portion of the tax on such lot or piece of ground, and his proper share may be determined by the City Treasurer.

152. § 77. When any improvement mentioned in this act is completed according to contract, it shall be the duty of the City Engineer to carefully inspect the same and if the improvement is found to be properly done, such Engineer shall accept the same, and forthwith report his acceptance thereof to the Board of Public Works, who shall report the same to the Council with recommendation that the same be approved or disapproved, and the City Council may confirm or reject such acceptance. When the ordinance levying the tax makes the same due as the improvement is completed in front of or along any block or piece of ground, the Engineer may accept the same in sections from time to time, if found to be done according to contract, reporting his acceptance as in other cases.

153. § 78. All street railway companies now existing or hereafter created, in any city governed by this act, or that shall hereafter be organized thereunder, shall be required to pave or

repave between and to one foot beyond their outer rails, or in case said railway use more than one track in any street, they shall pave between and to one foot beyond their outer rails where such company owns, at their own cost; *Provided*, that in lieu of the above and until January 1st, 1891, such street railways shall only be required to pave between the rails of each track. Whenever any street shall be ordered paved or repaved by the Mayor and Council of such city, such paving or repaving shall be done at the same time, and shall be of the same material and character as the paving or repaving of the street upon which said railway track is located, unless other material be specially ordered by the Board of Public Works. Such street railway companies shall be required to keep that portion of the street required by them to be paved in repair, using for said purpose the same material as the streets upon which the track is laid at the point of repair, or such other material as the Board of Public Works may require and order upon streets in cities governed by this act, as streets are hereafter paved or repaved, street railway companies shall be required to lay, in the best approved manner, the strap or flat rail. The track of all railway companies, when located upon the streets or avenues of the city, shall be kept in repair and safe in all respects for the use of the traveling public, and such companies shall be liable for all damages resulting by reason of neglect to keep such tracks in repair, or for obstructing the streets or avenues of such city. For injuries to persons or property arising wholly from the failure of such company to keep their tracks in proper repair and from obstruction, such companies shall be liable and the city shall be exempt from liability. The words "street railway company," as used in this act, shall be taken to mean and include any persons, companies, corporations, or associations owning any street railway in any such city.

154. § 79. In the event of the refusal or neglect of such street railway companies to pave, repave, or repair when so directed by the Mayor and Council, upon the grading, paving, or repaving of any street upon which their track is laid, the Mayor and Council shall have power to pave, repave, or repair the same, and the cost and expense of such paving, repaving, or repairing may be collected by levy and sale of any real or personal property of said street railway company, the same as special taxes are collected. Special taxes for paying the cost of such paving, repaving, macadamizing, or repairing of any such street

railway may be levied upon the track, including the ties, iron, road-bed and right-of-way, side track and appurtenances, including buildings and real estate belonging to such company or person, and used for the purpose of such street railway business, all as one property, or upon such part of such tracks, appurtenances, and property as may be within the district paved, repaved, macadamized, or repaired, or any part thereof, and shall be a lien upon the property upon which levied from the time of the levy until satisfied. No mortgage, conveyance, pledge, transfer, or encumbrance of any such property of any such company, or person, of any of its rolling stock or personal property, created or suffered by any such company, or party, after the time when any street or part thereof, upon which any such street railway shall have been laid, shall have been ordered paved, repaved, macadamized, or repaired, shall be made or suffered, except subject to the actual or prospective lien of such special taxes, whether actually levied or not, if such levy be in contemplation. The Treasurer shall have the power and authority to seize any personal property belonging to any such person or company for the satisfaction of any such special taxes when delinquent and to sell the same upon the same advertisement and in the same manner as constables are now authorized to sell personal property upon execution at law, but failure to do so shall in no wise affect or impair the lien of the tax or any proceeding allowed by law for the enforcement thereof. The railroad track or any other property upon which such special taxes shall be levied, or so much thereof as may be necessary, may be sold for the payment of such special taxes in the same manner and with the same effect as real estate upon which such special taxes may be levied, may be sold. It shall also be competent for any such city to bring a civil action against any party owning or operating any such street railway and liable to pay said taxes, to recover the amount thereof, or any part thereof delinquent and unpaid, in any court having jurisdiction of the amount, and obtain judgment and have execution therefor, and no property, real or personal, shall be exempt from any such execution; *Provided*, That real estate shall not be levied upon by execution, except by execution out of the district court on a judgment therein, or transcript of a judgment filed therein, as now provided by law. No property seized by the Treasurer as hereinbefore provided, or upon any such execution, shall be taken from the officer holding the same on any order of replevin. No defense shall be allowed

in any such civil action, except such as goes to the groundwork, equity, and justice of the tax, and the burden of proof shall rest upon the party assailing the tax. In case part of such special tax shall be shown to be invalid, unjust, and inequitable, judgment shall be rendered for such amount as is just and equitable, and costs shall follow the judgment. It shall be competent for the Mayor and Council, upon the written application of any company, association, corporation, or person owning any such street railway, to provide that such special tax shall become delinquent and payable in installments, as in case of taxes levied upon abutting real estate as hereinbefore provided, but such application shall be taken and deemed a waiver of any and all objections to such taxes and to the validity thereof. Such application shall be made at or before the final levy of such taxes. The provisions of this act in regard to the levy, collection, and enforcement of special taxes to pay the cost of paving, repaving, macadamizing, or repairing of any such street railways shall apply to all such special taxes hereafter levied.

155. § 80. There shall be in each city a Board of Public Works which shall consist of three members, residents of said city, to be appointed by the Mayor, by and with the assent of the Council, before the first Monday of June following its organization under this act, for the term of one, two, and three years respectively, the term of office of each to be designated by the Mayor, and annually thereafter there shall be appointed, as hereinbefore provided, one member, whose term of office shall be three years. The Mayor, by and with the assent of the Council, shall designate one of the members of such board to be the chairman thereof. The salary of the members of such Board of Public Works shall be fixed by ordinance, and the salary of the chairman shall not exceed twelve hundred dollars per annum, and the salary of each of the other members shall not exceed two hundred dollars per annum. Each of the members of said board shall, before entering upon the discharge of his duties, take an oath to faithfully discharge the duties of his office, and enter into a bond with such city, with two or more good and sufficient sureties (to be approved by Mayor and Council) the bond of the chairman to be in the sum of fifteen thousand dollars (\$15,000), and each of the others in the sum of ten thousand dollars, (\$10,000), conditioned for the faithful performance of his duties as member of the Board of Public Works. The chairman of such board shall devote his entire time to the performance of his offi-

cial duty, and no member of such board shall ever be directly or indirectly interested in any contract entered into by them on behalf of such city, nor shall they be interested, either directly or indirectly, in the purchase of any material to be used or applied in and about the uses and purposes contemplated by this act. It shall be the duty of the Board of Public Works, and it shall have power, to make contracts on behalf of the city for the performance of all such work, and the erection of all such improvements as may be ordered by the Mayor and Council, but only with the approval of the Mayor and Council; to superintend the performance of all such work and the erection of all such improvements; to approve the estimates of the City Engineer, which may be made from time to time, of the value of the work as the same may progress; to accept any work done or improvement made, when the same shall be fully completed according to contract, subject, however, to the approval of the Mayor and Council, and to perform such other duties as may be conferred upon them by ordinance. Any member of such board may at any time be removed from office by a vote of two-thirds of the members elected to the Council, or by the Mayor and a majority of the Council, and the proceedings in that behalf shall be entered in the journal of the Council.

156. § 81. The Mayor and Council shall cause to be published, semi-annually, a statement of the receipts of the city and the sources thereof, and an itemized account of the expenditures and the financial condition of the city. It shall be the duty of the City Clerk, on or before the first day of December annually, to prepare separate estimates of all kinds of supplies, personal property and material, required for the use of the city during the ensuing year, and during the first week in December he shall publish a brief advertisement in one newspaper published in the city, stating the probable amount and kind of supplies, personal property and material required by such city during the year following the first day of January next ensuing, and inviting bids therefor, which bids shall be filed with said Clerk on or before the first day of January. The Board of Public Works shall on or before the 10th day of January, succeeding such advertisement open said bids and recommend to the City Council, which if any, of said bids should be accepted, the bid or bids recommended to be that or those of the best and lowest competent bidder who shall furnish a bond as hereinafter provided. The City Council shall at its first meeting after the 10th of January aforesaid award

a contract or contracts for such supplies, personal property and material to the best and lowest bidder or bidders competent under the statute, *Provided*, That the council may reject any and all bids. The successful bidder shall enter into a good and sufficient bond for the faithful performance of said contract with two good and sufficient sureties who shall justify in the same manner as sureties on official bonds, which bonds shall be approved by the City Attorney, Mayor, and City Council. It shall be unlawful for any city officer to purchase any supplies, personal property or material from any person other than those to whom a contract has been awarded in case contracts have been awarded. Any officer of the city who shall violate the provision shall, upon conviction, be fined in the sum of fifty (50) dollars and be committed until such fine is paid.

157. § 82. The Council, or any committee of the members thereof shall have power to compel the attendance of witnesses for the investigation of matters that may come before them, and the presiding officer of the Council or chairman of such committee for the time being may administer the requisite oaths, and such council or committee shall have the same authority to compel the giving of testimony as is conferred on courts of justice.

158. § 83. Any city shall have the right to use the jail of the county for the confinement of such persons as may be liable to imprisonment under the ordinances of the city, but it shall be liable to the county for the cost of keeping such prisoners. The city shall not pay to exceed fifteen cents for each meal furnished prisoners, and fifteen cents for lodging.

159. § 84. The Mayor and Council shall have power to borrow money and pledge the credit and property of the city upon its negotiable bonds or otherwise, to an amount not exceeding in the aggregate one hundred (\$100,000) thousand dollars additional to all bonds issued for said purpose heretofore, for the purpose of constructing or aiding in the construction of a system of sewerage, or extensions thereof, authority therefor having first been obtained by a majority vote of the people at an election upon a proposition submitted in the manner provided by law for the submission of propositions to aid in the construction of railroads and other works or internal improvement, and to borrow money and to pledge the property and credit of the city in the manner aforesaid, and upon being authorized as aforesaid, to an amount not exceeding two hundred thousand (\$200,000) dollars additional to all other bonds heretofore issued for

the purpose of constructing, maintaining, and operating a system of waterworks for said city ; *Provided*, That before submitting the question to the electors of said city, as to issuing bonds for either sewers or waterworks, or additions thereto or extensions thereof, the Council shall first determine and spread upon its records, in what manner and to what extent such additions or extensions shall be made, and where the same shall be located and shall also procure a detailed estimate, by the City Engineer, of the probable cost thereof, and no change in any material manner, shall be made therein after the voting of the bonds, proposed to be issued to construct the same, unless such change shall be first approved by a vote of the electors of said city. *And provided further*, That cities governed by this act are hereby authorized to borrow money on their negotiable bonds to an amount not exceeding twenty-five thousand (\$25,000) dollars for the purpose of purchasing and improving a park or parks for such city, and *Provided*, The Council shall first determine and spread upon its record a description of the land proposed to be bought for a park and that authority therefor shall first be obtained by a vote of the electors of said city, the proposition therefor having been submitted to such electors, in the manner hereinbefore mentioned, as to voting bonds for waterworks and sewers, and *Provided further*, That if said question is submitted at a special election, it shall require to carry the same, a majority of all the votes cast at said election, and a number of votes equal to a majority of the vote cast in said city at the last general election, and if submitted at a general election, it shall require to carry the same, a majority of all the votes at such election.

160. § 85. When a system of waterworks shall have been adopted and the people shall have voted to borrow money to aid in their construction as aforesaid, the Mayor and Council may erect, construct, and maintain such system of waterworks, either within or without the corporate limits of the city, and make all needful rules and regulations concerning the use of such waterworks, and to do all acts necessary for the construction, completion, and management and control of the same, not inconsistent with this act, including the taking of private property for public use for the construction and operation of the same, compensation to be ascertained and made therefor in the manner provided by law for acquiring the right-of-way and depot grounds for railway companies by the exercise of the right of eminent domain.

161. § 86. In case such aid shall not be voted by the people in the manner aforesaid, or in case the system of waterworks shall prove inadequate for the needs of the city, both public and private, then the Mayor and Council may contract with and procure individuals or corporations to construct and maintain a system of waterworks in such city for any time not exceeding twenty years from the date of the contract, and with a reservation to the city of the right to purchase such waterworks at any time after the lapse of ten years from the date of the contract, upon payment to such individuals or corporation of any amount to be determined from the contract, not exceeding the cost of construction of such waterworks; in other respects such contracts may be upon such terms as may be agreed upon by a two-thirds vote of the Mayor and Council, entered upon the minutes; *Provided*, That no such contract shall be made unless authorized by a majority vote of the legal voters at a special election called for such purpose.

162. § 87. No bonds issued by the city for any purpose shall draw interest at a greater rate than six per cent. (6%) per annum, and no bonds shall be for less than par or face value, and all bonds shall be redeemable at the option of the city at any time after ten years from their date, and that not more than ten per cent. (10%) of any issue of bonds shall fall due in any one year, and the same per cent. yearly thereafter until all of the bonds of the issue become due; *Providing*, There shall be no tax levied to pay more than the interest upon such bonds until the year before they become due and then only so much as is needed to meet the bonds maturing the year after.

163. § 88. Before the Mayor and Council shall enter upon the construction of any system of waterworks a Water Commissioner shall be appointed, who shall give bonds in not less than the sum of five thousand (5,000) dollars. No member of the Council or the Mayor shall be eligible to the office of water commissioner during the time for which he shall be elected.

164. § 89. Such Water Commissioner, under the direction and supervision of the Mayor and Council, shall have control of such system of waterworks, and of the erection and construction of the same, subject to the general management and approval of the Board of Public Works, fixing the rates within such limits as may be prescribed by ordinance, to be paid by the inhabitants to the city for the use of water, water meters, and hydrants. It shall be his duty to collect all moneys receivable by the city on account of said system of waterworks and to faithfully account

for and pay the same over to the Treasurer at the end of each and every month, taking his receipt therefor in duplicate, and filing one of the same with the City Clerk, to make a detailed report to the Council at least once in three (3) months, of the condition of said water system, and of all mains, pipes, hydrants, reservoirs, and machinery, and recommending such improvements and repairs and extensions thereof as he may think proper, and showing the amount of the receipts and expenditures thereof for the preceding three (3) months, and no bill or claim for any work or material done or furnished for said system of waterworks shall be paid or allowed in whole or in part, except as the same shall have been first approved by said Water Commissioner and the water committee of the Council. Said Water Commissioner shall perform such other duties as may be required of him by ordinance.

165. § 90. When any bonds shall have been issued by the city for the purpose of constructing or aiding in the construction of a system of waterworks or a system of sewerage, there shall thereafter be levied annually upon all of the taxable property of said city a tax of not exceeding one mill for every twenty thousand dollars so issued, which shall be known as the waterworks tax, or sewerage tax, as the case may be, and shall be payable only in money. The proceeds of such tax, together with all income received by the city from the waterworks, and from the payment and collection of water rents and rates of assessment, shall first be applied to the payment of the current expenses of the waterworks and interest on borrowed money and bonds issued for their construction, and the surplus, if any, shall be used for the extension of such system, or retained as a sinking fund for the payment of such loan or bonds at maturity.

166. § 91. The Excise Board shall have exclusive control of the licensing and regulation of the sale of malt, spirituous, vinous, or intoxicating liquors in such city, and for that purpose shall hold a public session at least once each month at the council chamber in said city, and a record of its proceedings shall be made and kept as a public record by the City Clerk, who shall be clerk of said board. A majority of such board shall constitute a quorum. The Excise Board may license, restrain, regulate, or prohibit the selling or giving away of malt, spirituous, or vinous, mixed or fermented intoxicating liquors in said city, the license not to extend beyond the municipal year for which it shall be granted, and to determine the amount to be paid for

such license, not less than the minimum sum required by any general law upon the subject; *Provided*, That special permits may be granted to druggists for the sale of liquor for medicinal and mechanical purposes; and, *Provided, further*, That all such licenses except druggists shall be required to give bonds in all respects, and they and their sureties shall be liable on such bond in all respects, as in the case of persons to whom licenses for the sale of intoxicating liquors are or may be granted by the county board, and all the restrictions, regulations, forfeitures, and penalties provided by law respecting the sale of liquors by persons licensed therefor by the county board shall apply and govern all persons (except druggists) licensed by virtue of this section, and any person selling or giving away in said city any liquor of the description mentioned in this section, without first having complied with such regulations, and procured a license or permit therefor, or who shall violate any of the rules and regulations established by such Excise Board and governing the sale of such liquor shall on conviction thereof be fined in any sum fixed by such rule not more than two hundred (\$200) dollars for each offense, and be committed to the city jail until such fines and costs are paid; *Provided*, That any permits issued to a druggist may be revoked by the Excise Board at pleasure, and further, that any license issued by the Excise Board for any purpose mentioned in this section shall and must be revoked by the Excise Board upon conviction of the licensee of any violation of any law or ordinance or regulation pertaining to the sale of any such liquors, and proceedings of error or appeal taken to review such judgment or conviction shall in no wise affect or prevent the revocation of such license. The Excise Board shall also make all needful rules and regulations, not inconsistent with the law of this state for the control of places at which malt, spirituous, vinous, or intoxicating liquors may be sold in said city; and such rules and regulations, when adopted by said board and published in a daily newspaper published and of general circulation in said city, shall have like force and effect as ordinances of said city adopted by the City Council thereof, and shall be proved in like manner. The Excise Board when in session shall have the same power to issue subpoenas and compel the attendance of witnesses and to compel them to testify concerning matters pending before them, as a justice of the peace has on an examination before him; and the president of the board or presiding member for the time being shall have the same power as such justice to

administer oaths and affirmations. All subpoenas, commitments, and other processes shall be signed by the president or presiding officer for the time being of the board and countersigned by the City Clerk. The Excise Board shall have power, and it shall be the duty of said board, to appoint a Chief of Police and such other officers and policemen to the extent that funds may be provided by the Mayor and Council to pay their salaries as may be necessary for the protection and efficiency of the police of the city, and as may be necessary to protect citizens and property and maintain peace and good order. *Provided*, That the number of policemen shall be determined by the Excise and Police Board shall not exceed more than one to every twenty-five hundred (2500) of population. The Chief of Police and all other police officers and policemen shall be subject to removal by the Mayor whenever the said Mayor shall consider and declare such removal necessary for the proper management or discipline or the more effective working or service of the police department.

167. § 92. All taxes levied for the purpose of raising money to pay interest or to create a sinking fund for the payment of the principal or any funded or bonded debt of the city shall be payable in money only, and except as otherwise expressly provided, no moneys so obtained shall be used for any other purpose than the payment of the interest or debt for the payment of which they shall have been raised; *Provided*, That such sinking fund may, under the direction of the Mayor and Council, be invested in any of the under-due bonds issued by the city, provided they can be procured by the Treasurer at such rate or premiums as shall be prescribed by ordinance; *And provided, further*, That any due or overdue coupon or bond shall be a sufficient warrant or order for the payment of the same out of any fund specifically created for that purpose, without any further order or allowance by the Mayor or Council.

168. § 93. The Mayor or Council shall not allow or pay for the printing of any notice, advertisement, or publication in any newspaper, any greater sum or rate than twenty-five cents per square of unleaded nonpareil type; and such bill shall first be audited by the City Clerk.

169. § 94. The Mayor and Council may, whenever they deem it expedient, employ a special engineer to make or assist in making any particular estimate or survey, and any estimate or survey made by such special engineer shall have the same va-

lidity, and serve in all respects as though the same had been made by the City Engineer.

170. § 95. The Police Judge shall have exclusive jurisdiction over, and it shall be his duty to hear and determine all offenses against the ordinances of the city; he shall also have jurisdiction, concurrent with Justices of the Peace and the County Court, of misdemeanors under the laws of the state, arising within the limits of the city, when the fine, which may be imposed, does not exceed two hundred dollars (\$200), or imprisonment for three months; and he shall also have jurisdiction for the examination of offenders against the laws of the state for offenses arising within the city limits.

171. § 96. The Police Judge shall be a conservator of the peace, and his court shall be open every day except Sundays, to hear and determine any and all cases cognizable before him. No act shall be performed by him on Sundays, except to receive complaints, issue process, and take bail. He shall have power to enforce due obedience to all orders, rules, and judgments made by him. He shall have the same power as the District Court in the issuance of warrants, subpoenas, or other process that may be necessary, and may fine or imprison for contempt offered to him while holding court, or to process issued by him, in the same manner and to the same extent as the District Court.

172. § 97. In all cases before the Police Judge, arising under the ordinances of the city, wherein the fine assessed exceeds the sum of ten dollars (\$10) or the imprisonment ten days, an appeal may be taken by the defendant to the District Court in and for the county in which said city is situated; but no appeal shall be allowed unless such defendant shall, within ten days, enter into recognizance with sufficient securities to be approved by the judge, conditioned for the payment of the fine and costs of appeal, if it should be determined against the appellant.

173. § 98. On the trial of any case in the Police Court, it shall be the duty of any Police Judge to sign any bill of exception tendered to the court during the progress of such trial; *Provided*, The truth of the matter be fairly stated, and thereupon said exception shall be entered in the record of such trial. Any final conviction, sentence, or judgment of the police court may be examined into by the District Court on writ of error, which may be allowed by such court or the judge thereof, for sufficient cause, and proceedings may be stayed as may be deemed

reasonable; and the revising courts shall in such proceedings take judicial notice of all ordinances of the city.

174. § 99. Whenever complaint shall be made to the Police Judge, on oath or affirmation of any person competent to testify against the accused, that an offense has been committed, of which the Police Judge has the jurisdiction, the Police Judge shall forthwith issue a warrant for the arrest of the offender, which warrant shall be served by the City Marshal, Policeman, Sheriff, or a Constable of the county, or some person specially appointed by the Police Judge for that purpose.

175. § 100. All fines and penalties collected arising from a breach of ordinances of the city shall be paid to the City Treasurer, and all fines and penalties collected, arising from misdemeanors under the laws of the state, shall be paid to the County Treasurer, and the Police Judge shall report at the end of each calendar month a list of all cases instituted in his court under the city ordinances and the disposition thereof, with a statement of all the fines, penalties, and costs by him received, and shall at the end of each month pay to the City Treasurer all fines by him received in cases arising under city ordinances, and in the event that the Police Judge shall fail to make report as herein provided, such failure and refusal for a period of ten days after demand made by the City Council shall be cause for impeachment. The excess of fees and costs, after paying the salary of Police Judge, shall be paid into the police fund.

176. § 101. When any person shall be brought before the Police Judge, upon such warrant, it shall be his duty to hear and determine the complaint alleged against the defendant.

177. § 102. Upon good cause the Police Judge may postpone the trial of a case to a day certain, in which case he shall require the defendant to enter into a recognizance, with sufficient security, conditioned that he will appear before said judge at the time and place appointed, then and there to answer the complaint alleged against him.

178. § 103. In case of the breach of any recognizance entered into as aforesaid, the same shall be certified to the District Court of the proper county to be proceeded upon according to law; if in the progress of any trial before said judge it shall appear that the accused ought to be put upon his trial for an offense not cognizable before said judge, he shall immediately stop all further proceedings before him and proceed as in other cases exclusively cognizable before the District Court.

179. § 104. It shall be the duty of said judge to summon all persons whose testimony may be deemed material as witnesses at the trial, and to enforce their attendance by attachment if necessary, and all witnesses shall receive the sum of fifty cents for each day's attendance.

180. § 105. Cases in the Police Court for violation of city ordinances shall be tried and determined by the Police Judge without the intervention of a jury; cases of misdemeanor under the statutes of the state shall be tried by the Police Judge alone, unless the defendant demands a jury; if a jury be demanded, the case shall be tried by a jury of six competent men, unless a smaller number be agreed to by the defendant, to be selected in the manner provided by law for selecting jurors in Justice Courts, and the trial of such cases before said Police Judge shall be conducted in all respects not herein otherwise provided, in like manner as criminal cases before Justices of the Peace. Jurors in the police court shall receive the same fees as jurors in Justice Courts, to be taxed as other costs are taxed in the case. And if, in any case of misdemeanor under the laws of the state, it shall appear to the Police Judge, by affidavit of the defendant, that he cannot have a fair and impartial trial before such Police Judge, the hearing of such a case may be transferred to some Justice of the Peace in such city. The Police Judge shall transmit or deliver the papers in such case, with a certified transcript of the proceedings before him, to such justice, who shall proceed therein and have the same jurisdiction, powers, and duties in all respects whatever, as if such suit had been originally instituted before him; but before such change shall be allowed, all costs that have accrued in the Police Court and a fee of one dollar for transcript shall be paid by the defendant.

181. § 106. If the defendant be found guilty, the Police Judge shall declare and assess the punishment, and render judgment accordingly. It shall be part of the judgment that defendant stand committed until the judgment be complied with. Costs shall be taxed as in similar cases before Justice of the Peace; *Provided*, That a jail fee of fifty (50) cents and a fee of one (1) dollar for use of patrol wagon may be included in cases where a defendant was imprisoned before trial for one day or more, or where patrol wagon was used in making arrest; *Provided*, That in any prosecution for the violation of any ordinance, the defendant shall have the right to produce before said Police Judge one or more sureties, to the satisfaction of said

judge, which said sureties shall, with the defendant, confess a judgment for the amount of the fine or penalty imposed, with costs of suit; and said judge shall enter said confession of judgment upon his docket, and render judgment accordingly in the name of the state of Nebraska against them for the amount of such fine and costs, and if said judgment be not paid within ninety days from the date of such confession and entering of judgment, said Police Judge shall issue execution and collect the amount of such fine or penalty and costs, in the manner provided by law for collecting judgment by execution in justice's courts.

182. § 107. Any defendant committed under the provisions of this act for misdemeanor arising under the laws of the state may be discharged in the same manner as if he had been committed by the county court.

183. § 108. In all cases not herein specially provided for, the process and proceedings before the judge shall be governed by laws regulating proceedings in Justices' Courts in criminal cases.

184. § 109. In all proceedings, trials, and hearings before the Council based upon a complaint or information of any kind, where such information or complaint is not sustained before an appeal shall be taken, the complainant or informant shall enter into an undertaking in such sum as the Mayor may fix, with sufficient sureties approved by the Mayor, conditioned that he will pay all costs in case the decision of the Council shall be sustained.

185. § 110. When a trial shall be continued by the Police Judge it shall not be necessary to summon any witnesses who may be present at the continuance, but the Judge shall verbally notify such witnesses as either party may require to attend before him to testify in the case on the day of trial, which verbal notice shall be as valid as a summons.

186. § 111. In trials by a jury before the Police Judge, challenges shall be allowed in the same manner as in similar cases before Justices of the Peace.

187. § 112. Any person convicted before the judge of any offense under the ordinances of the city shall be punished by such fine and imprisonment as may be regulated by ordinance.

188. 113. Whenever the defendant is sentenced to imprisonment for the violation of a city ordinance, he shall be put to work for the benefit of the city, under the direction of the Mar-

shal, for the term of his imprisonment, and when committed for the non-payment of a fine or costs for the violation of any ordinance, he shall also be put to work for the benefit of the city, and shall be credited on such fine and costs one dollar and fifty cents (\$1.50) per day for each day he shall work.

189. § 114. In case of a vacancy in the office of Police Judge by death, resignation, or otherwise, or in case of the absence, disability, or personal interest of said judge, such fact being shown by affidavit, the Mayor shall on notice thereof appoint some Justice of the Peace, holding and exercising the duties of his office, within the corporate limits of the city, to act as Police Judge during such vacancy, absence, or disability of said Police Judge and until such vacancy is filled by appointment or election.

190. § 115. That an act entitled "An act to incorporate cities of the first class having less than 60,000 inhabitants, and more than 25,000 inhabitants, and regulating their duties, powers, and government," approved March 25, 1887, and all acts amendatory thereof, and all acts or parts of acts or laws in conflict herewith, be and the same are hereby repealed.

POLICE MATRON.

191. § 1. That in cities of 25,000 or more inhabitants a woman shall be appointed by the Mayor to the office of Police Matron, who shall have the care and custody of all women and children arrested in such cities. Such Police Matron shall be a member of the regular police staff under the same restrictions, and shall receive a salary of fifty dollars (\$50) per month.

§ 2. All acts and parts of acts inconsistent with this act shall be and are hereby repealed.

Approved March 31, 1893.

VIADUCTS.

192. § 67, III. Streets, grades, and repairs. To provide for the grading and repairing of any street, avenue or alley, and the construction, renewal and repair of bridges, culverts, viaducts and sewers, and shall defray the cost thereof out of the proper fund of the city; but no street shall be graded unless the same be ordered done by the affirmative vote of two-thirds of the Council.

The Mayor and Council may by ordinance provide for the construction, renewal, alteration or repair of any viaduct or viaducts with suitable approaches over any railroad track or tracks across or upon any street or avenue of said city which they may deem necessary for the safety and protection of the public, and the location, dimensions and material of the same, and the same shall be constructed under and pursuant to the provisions of this act governing public improvements so far as such provisions may be applicable hereto. The Mayor and Council shall provide for appraising and determining the damages, if any, which may be caused to any property by reason of the construction, repair, alteration or renewal of such viaduct approaches, and the proceeding for such purpose shall be the same as provided herein for the purpose of determining damages to property by reason of change of grade, and such damages shall be deemed a part of the cost of such viaduct or viaducts, and paid as part of such cost.

The cost of construction, alteration, renewal or repair of any viaduct and its approaches, with the damages aforesaid shall after the completion of said improvement be by the Mayor and Council levied and assessed upon the railroad companies owning or using said tracks in proportion to the length of viaduct made necessary by the tracks of each company as determined by the City Engineer to the satisfaction of the Council. Notice of the time of holding the meeting therefor shall be published once in some newspaper in general circulation in said city at least two weeks prior thereto. Whenever two or more railroad companies own or use any track or tracks jointly, the cost as between such companies shall be apportioned in such manner as the Mayor and Council may in their discretion determine; but any railroad company making exclusive use of any track or tracks may for the purposes of this section be deemed the exclusive owner of such tracks. The amounts of such several levies and assessments shall from the time of such levy be a lien upon all the property of the railroad company against which the same are assessed, both real and personal. The amounts of the several levies as made shall be by the Clerk certified to the Treasurer, and become due and delinquent on and after the first day of the next succeeding calendar month after such levy, and shall bear interest and be collected in the same manner as other taxes. No irregularity or informality in any of the proceedings taken pursuant to this section shall in any way avoid the levy and assessment

of such taxes, and the Mayor and Council shall at any time have power by supplemental levy and assessment to correct any errors or supply any deficiencies in case of the failure or invalidity of any previous levy or part thereof.

To provide funds to pay the cost of any viaduct as aforesaid, the Mayor and Council shall have power, by ordinance, to issue bonds of the city to be called "Viaduct Bonds or Viaduct No. —" in an amount not exceeding the estimated cost thereof, payable at the option of the city at any time, and not more than five years from date, to bear interest, payable annually, not exceeding the rate of six per cent per annum, with interest coupons attached, and in such case, the Mayor and Council shall also provide that the tax thereafter to be levied and assessed as herein provided shall be a special fund for the payment of said bonds and interest; and if the tax levied on and collected from any railroads companies as aforesaid shall be insufficient to pay said bonds and interest in full, the deficiency shall be paid from the general fund of the city; *Provided*, That no such bonds shall be issued until the same have been authorized by a majority of the electors voting at any election on the question of issuing such bonds;

Provided, however, That if the railroad companies owning or using the track or tracks to be crossed by any viaduct to be constructed, altered, renewed or repaired as herein provided shall, prior to the voting of any bonds as aforesaid, and the letting of any contract by the city, for the construction, repair, renewal, or alteration of any viaduct, execute and deliver to the City Clerk a good and sufficient bond to the city as obligee with sureties approved by the Mayor in a penal sum not less than the estimated cost of the proposed viaduct, conditioned that said railroad companies shall construct, renew, alter or repair said viaduct and approaches within such time as the Council may determine according to the plans and specifications furnished by the city, and under the supervision and regulation, and to the satisfaction of the Board of Public Works and the Mayor and Council, and to hold the city harmless of all damages by reason of the construction of the same, that then said railroad companies may construct said viaduct, as conditioned in said bond, but at their own cost and expense; *Provided further*, That if at any time it appears to the Council that said railroad companies neglect or refuse to fulfill the conditions of such bond, that the city may proceed to construct, alter, renew or repair said viaduct and levy and assess the

cost thereof in accordance with the provisions of this section, and such action shall be cumulative to any remedy which the city may have by reason of the breach of the conditions of said bond;

Provided further, That said viaduct and the street upon which the same may be, shall be and remain public property in the same manner as other streets of the city, and nothing herein shall be construed in any way to prevent or interfere with the right of the Mayor and Council and officers of the city to exercise such powers and authority over such viaducts and streets as may be vested in them by law over the property of the city.

The Mayor and Council shall have power by ordinance to determine the terms and conditions upon which any street railway company may lay tracks and operate its road on and over any viaduct, and any revenue derived from such use shall constitute a special fund for the payment of repairs to said viaduct, which repairs may be made in the same manner as repairs on streets and public buildings and improvements.

193. § 68. Eminent Domain. Whenever it shall be necessary for any of the purposes authorized by this act to appropriate or damage private property, the Mayor with the approval of the Council shall appoint a commission composed of three disinterested resident freeholders of said city to assess the damages caused to said property. Said commissioners shall take an oath impartially and truly to perform the duties hereby imposed upon them, and file the same with the Clerk, and thereupon shall forthwith view the property to be taken or damaged and assess the amount of damages caused to each lot or tract, taking into consideration the benefits thereto, if any, and make a report of their doings to the County Judge, who shall deliver a certified copy of said report to the City Clerk and to the Register of Deeds to be recorded and indexed in the same manner as deeds. The council shall direct the City Treasurer to pay the amount of the appraisement to the county judge for the benefit of the parties entitled thereto, to be distributed in the same manner as moneys paid by railroad companies in right of way proceedings. The city or any person having an interest in any of said property, may, within thirty days after the filing of said report, appeal to the District Court, in the same manner as in right of way, proceedings by railroad companies, but no appeal bond shall be required of the city, nor shall any appeal operate to delay the proposed improvement. The remedy by appeal as herein pro-

vided shall be exclusive, and no other or different action shall lie to recover any damages caused by said improvement.

STREET RAILWAYS.

194. § 1. Any number of persons may be associated and incorporated under the general laws of this state providing for the creation of corporations for the purpose of constructing and operating a street railroad within any of the cities of this state, upon procuring the consent of a majority of the electors of any such city as hereinafter provided.

§ 2. Every such corporation, previous to the commencement of any business except its own organization, must adopt articles of incorporation and have them recorded in the office of the county clerk of the county in which the city within which it is proposed to construct and operate such street railroad is situated, and must procure the consent of a majority of the electors of such city as herein provided.

§ 3. The articles of incorporation must fix the termini of the street railroad which the company proposes to construct (and describe the precise route between such termini, which shall be one continuous line from the terminus to the other,) and also name the streets through which said railway is to be constructed; (said articles shall also state the length of the railway so proposed to be constructed, which shall not be authorized or consented to by the electors of any such city, at any one election, to exceed the length of five miles.)

195. § 4. The question of the consent of a majority of the electors of any such city to the constructing and operating of any such street railroad, shall be determined by submitting the question to the electors of such city at an election to be held for that purpose, and of which election it shall be the duty of the Mayor of any such city upon the request of the Common Council of said city to give at least ten days' notice by publishing a notice in some newspaper published in such city, which notice shall state the termini of said proposed street railway as well as describe the precise route between such termini which shall be one continuous line from one terminus to the other, and also name the streets through which said railway is to be constructed, which proposed railway shall not exceed five miles in length; the form in which such notice shall be taken and the time when such election shall be held, and no election shall hereafter be

held except under this provision; *And provided further*, That no franchise to construct street railways shall be hereafter granted, nor shall any election be hereafter held to vote upon any proposition to give the consent of the electors of any such city to the construction of any street railway, unless there shall have been filed at least ten days before such election, a map or plat showing the route and location of the proposed street railway in the county office wherein are kept the record of deeds of real estate and also whether the proposed railway along such route is to be a single or double track.

196. § 5. Every such election shall be held at the time designated in the notice and shall be held in the same manner and at the same places as the general city elections, and the returns shall be canvassed by the Council of such city at its next meeting after any such election and the result declared and if a majority of the votes cast at such election shall be in favor of the constructing and operating of such proposed street railroad, the Council shall cause the City Clerk to make out a certificate of the result stating that the consent of a majority of the electors of such city has been given to the constructing and operating of such railroad, and deliver the same to the chief officer of such street railroad company, who shall cause the same to be recorded in the office of the County Clerk where the articles of association of such street railroad company are recorded, and in the same record, and such certificate shall be *prima facie* evidence of the facts stated therein; and thereupon, such street railroad company shall be authorized to proceed and construct and operate such street railroad, as described in its articles of association, or any portion thereof, subject to such rules and regulations as may be established by ordinances of such city.

Provided, That any street railroad hereafter authorized to be constructed shall be built upon the line or route so described in said notice and plat, and not otherwise, and shall be constructed from one of the termini so fixed continuously to the other, and shall be single or double track as shown on such plat; but no street railway shall hereafter be constructed or consent or authority therefor be given by any city or its electors, upon or along any part of any street in any city, upon or along which any street railway has been already constructed, and where any other company or party owns any street railway upon any part of such street it is hereby authorized and empowered to consent to the use of any part of its railway by any other company upon

such terms as may be agreed upon by them; provided that no such use shall be allowed or enjoyed without its consent.

Provided, further, that no authority to construct street railway on any street of any city in this state under any franchise hereafter granted, or consent of the electors of any such city thereto, hereafter given shall be operative or effective unless the owners of a majority of the feet front of the real property abutting upon the street or streets upon which it shall be proposed to construct any such street railway, shall in writing consent thereto, which written consent shall be filed in the office of the City Clerk of the city wherein such street is situated before any election to give the consent of the electors of such city shall be called.

196a. § 6. Any street railway company existing in pursuance of law in this state, or which may be hereafter created and organized therein, any portion of whose road has been located and constructed so as to form with the road of any other street railway company existing, created, and organized as aforesaid, connected or continuous lines and routes of travel and transportation, is hereby authorized to consolidate its railway property and appurtenances with such other street railway and its property and appurtenances into a single corporation; *Provided,* That any such consolidation or transfer of the property, rights, powers, and franchises of any such company shall not in any manner impair or effect any existing right of reversion under which any of said companies now chartered or organized may exist in the manner following. The board of directors of said two or more corporations may enter into an agreement, under the corporate seals of each, for the consolidation of said two or more corporations, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of the directors thereof, which shall not be less than seven (7), nor more than eleven (11), the time and place of holding the first election of directors, the number of shares of stock in the new corporation, the amount of each share, the manner of converting the shares of corporate stock in each of said two or more corporations into shares in such new corporation, the manner of compensating stockholders in each of said two or more corporations who refuse to convert their stock into the stock of such new corporation, with such other details as they shall deem necessary to perfect such consolidation of said corporations, and such resulting consolidated corporation shall by operation of

law succeed to and hold in perpetuity all the property, rights, powers and franchises converted upon said constituent companies, and shall assume and perform all the public obligations, duties, agreements and requirements as common carriers imposed upon said constituent companies.

196*b*. § 7. Upon making the agreement mentioned in the preceding section in the manner required therein, and filing a duplicate thereof in the office of the Secretary of State and County Clerk of the county in which the corporation exists, accompanied by the consent in writing of the owners of two-thirds ($\frac{2}{3}$), of the capital stock of each of said constituent companies, and consent being duly acknowledged by a notary public under his seal of office in like manner as is prescribed for the acknowledgment of deeds, the said two or more corporations shall be merged in the new corporation provided for in such agreement, to be known by the corporate name therein mentioned, and the details of such agreement shall be carried into effect as provided therein.

196*c*. § 8. Upon the election of the first board of directors of the corporation created by the agreement in the preceding sections mentioned, all and singular, the rights and franchises of each and all of said two or more corporations, parties to such agreement, and all and singular, the rights and interest in and to every species of property, real, personal, and mixed, and things in connection, shall be deemed to be transferred to and vested in such new corporation without any other deed or transfer, and such new corporation shall hold and enjoy the same and all other rights of property vested in the said two or more corporations; *Provided*, That all the rights of creditors and all liens upon the property of either of said corporations shall be and hereby are preserved unimpaired, and the respective corporations shall continue to exist so far as may be necessary to enforce the same.

196*d*. § 9. Any street railway company existing in pursuance of law in this state, may, at any time, by means of subscription to the capital stock of any other company, or otherwise aid such company in the construction of its road for the purpose of forming a connection with the line of road owned by such other company.

196*e*. § 10. Any street railway existing in pursuance of law in this state may lease or purchase any part or all of any other street railway constructed by any other company, or may pur-

chase the capital stock of the same, or may sell and convey by deed or otherwise, or may lease to another street railway company any part or all of its own railway and franchises upon such terms and conditions as may be agreed upon between the said companies respectively, and any two or more street railway companies, whose lines are so connected as to form continuous routes of travel, may perfect any arrangement for their common benefit to assist and promote the object for which they were created.

196*f*. § 11. Any street railway existing in pursuance of law in this state shall have power and is hereby authorized to mortgage and execute deeds of trust upon its railway and property, in whole or in part, including its real and personal property and franchises, to secure money borrowed for the construction and equipment of their roads, and may also issue their corporate bonds in sums not less than one thousand dollars (\$1,000), to make all of said mortgage or deeds of trust payable to bearer or otherwise negotiable by delivery, bearing interest at rates not to exceed seven (7) per centum per annum, convertible into capital stock or not at the option of the holder, and may sell the same at such rates and prices as they may deem proper, and if said bonds shall be sold below their nominal par value they shall be valid and binding upon the company. The principal and interest of said bonds, or either of them, may be made payable within or without this state, at such place as may be determined upon by said company.

196*g*. § 12. The words, "street railway," as used in the foregoing section, shall be construed to embrace all street railroads built and operated for the conveyance of passengers along the streets and alleys and public thoroughfares of cities in this state, the motive power by which the same may be operated shall be restricted to horse, mule, electric, or cable powers.

2.—BONDS AND OATHS—OFFICIAL.

[COMP. STAT., 1887, CHAP. 10, PAGE 92.]

197. § 1. All state, district, county, precinct, township, municipal, and especially appointed officers, except those mentioned in section 1, article 14, of the Constitution, shall, before entering upon their respective duties, take and subscribe the following oath, which shall be endorsed upon their respective bonds:

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the state of Nebraska,

and faithfully and impartially perform the duties of the office of ———, according to law, and to the best of my ability. So help me God."

If any such officer is not required to give bond, the oath shall be filed in the office of the Secretary of State, or of the Clerk of the county, city, village, or other municipal subdivision of which he shall be an officer.

198. § 4. All official bonds of officers of cities, towns, and villages, shall be in all respects as required by the last preceding section, except that they shall be made payable to the city, town, or village, in and for which the officers giving the same shall be elected or appointed, in such penalty as the city, town, or village Council or Trustees may fix.

199. § 5. Official bonds, with the oath endorsed thereon, shall be filed in the proper office within the times as follows: Of all officers elected at any general election, on or before the first Thursday after the first Tuesday in January next succeeding the election; of all appointed officers, within thirty days after their appointment; of officers elected at any special election, and city and village officers, within thirty days after the canvass of the votes of the election at which they were chosen.

200. § 9. All official bonds of county, precinct, and other officers, shall be executed by the principal named in such bonds, and at least two sufficient sureties who shall be freeholders of the county in which such bonds are given.

201. § 10. The officers with whom any official bonds are required by law to be filed, shall carefully record and preserve the same in their respective offices, and shall give certified copies thereof, when required, under the seal of their office, and shall be entitled to receive for the same the usual fee allowed by law for certified copies of records in other cases.

202. § 11. The approval of each official bond shall be endorsed upon such bond by the officer approving the same, and no bond shall be filed and recorded until so approved.

203. § 12. All official bonds shall be obligatory upon the principal and sureties for the faithful discharge of all duties required by law of such principal, for the use of any person injured by a breach of the conditions of such bonds.

204. § 13. No official bond shall be rendered void by reason of any informality or irregularity in its execution or approval.

205. § 14. No state or county officer, or their deputies, shall be taken as security on the bond of any administrator, executor,

or other officer, from whom by law bond is or may be required, and no practicing attorney shall be taken as surety on any official bond, or bond in any legal proceedings in the district in which he may reside.

206. § 15. If any person elected or appointed to any office shall neglect to have his official bond executed and approved as provided by law, and filed for record within the time limited by this act, his office shall thereupon *ipso facto* become vacant, and such vacancy shall thereupon immediately be filled by election or appointment as the law may direct in other cases of vacancy in the same office.

207. § 16. Any person appointed to fill a vacancy, before entering upon the duties of the office, must give a bond corresponding in substance and form with the bond required of the officer originally elected or appointed, as herein provided.

208. § 17. When the incumbent of an office is re-elected or reappointed, he shall qualify by taking the oath and giving the bond as above directed; but when such officer has had public funds or property in his control, his bond shall not be approved until he has produced and fully accounted for such funds and property; and when it is ascertained that the incumbent of an office holds over by reason of the non-election or non-appointment of a successor, or of the neglect or refusal of the successor to qualify, he shall qualify anew within ten days from the time at which his successor, if elected, should have qualified.

209. § 18. No person shall be surety for the same officer for more than two successive terms of the same office.

3.—BONDS—MUNICIPAL.

[COMP. STAT., 1887, CHAP. 9, PAGE 87.]

210. § 3. The State Treasurer, and such other officers as are by law designated for the purpose, are required to remit to the State Agency, at least ten days before the day of maturity of any bonds or coupons payable in New York city, sufficient moneys out of the tax collected for the purpose, for the redemption of such bonds and coupons, and in addition thereto, a commission not exceeding one-eighth of one per cent for the disbursement of the same, and all expenses for such commissions, exchange, and postage, shall be a proper charge against the state, county, city, township, precinct, or school district, for which such moneys are remitted, and shall be allowed the Treasurer in his settlement.

4.—BONDS—CONTRACTORS ON PUBLIC BUILDINGS.

AN ACT to secure the payment of mechanics' and laborers' wages on all public buildings where the provisions of the general mechanics' lien laws do not apply.
Approved March 21, 1889. In force July 1, 1889.

211. § 1. It shall be the duty of the Board of Public Lands and Buildings, Boards of County Commissioners, the contracting board of officers of all cities and villages, and all public boards now or hereafter empowered by law to enter into a contract for the erecting and finishing, or the repairing of any public building, bridge, or other public structure, to which the general provisions of the mechanics' lien laws do not apply, and where mechanics and laborers have no lien to secure the payment of their wages, to take from the person or corporation to whom the contract is awarded, a bond with at least two good and sufficient sureties, conditioned for the payment of all laborers and mechanics for labor that shall be performed in the erecting, furnishing, or repairing, of the building, or in performing the contract. Said bond shall be to the board awarding the contract; and no contract shall be entered into by such board until the bond herein provided for has been filed with and approved by said board. The said bond shall be safely kept by the board making the contract, and may be sued on by any person entitled to the benefit of this act. The action shall be in the name of the party claiming the benefit of this act.

5.—BONDS—COUPONS DETACHED.

AN ACT authorizing the Auditor of Public Accounts, before registering the bonds of any municipality, to detach any and all coupons that shall mature before the taxes levied for the payment of same shall become due.

212. § 1. That whenever a bond of any county, city, town, township, precinct, village, school district, or other municipality shall be presented to the Auditor of Public Accounts for registration, the Auditor shall examine the interest coupons thereto attached, and shall detach as many of them as shall mature before the first taxes are levied to meet the same shall become due and collectible, and stamp said coupons, "Detached by the Auditor of Public Accounts," and send to the Treasurer of the county from which said coupons were issued.

6.—BONDS—INTERNAL IMPROVEMENTS.

[COMP. STAT., 1887, CHAP. 45, PAGE 485.]

213. § 1. That any county or city in the State of Nebraska is hereby authorized to issue bonds to aid in the construction of any railroad, or other work of internal improvement, to an amount to be determined by the County Commissioners of such county, or the City Council of such city, not exceeding ten per centum of the assessed valuation of all the taxable property in said county or city: *Provided*, The County Commissioners or City Council shall first submit the question of the issuing of such bonds, to a vote of the legal voters of said county or city, in the manner provided by chapter nine of the Revised Statutes of the State of Nebraska, for submitting to the people of a county the question of borrowing money. [1869, § 1, 92; G. S., 448.]

214. § 2. The proposition of the question must be accompanied by a provision to levy a tax annually for the payment of the interest on said bonds as it becomes due: *Provided*, That an additional amount shall be levied and collected to pay the principal of said bonds, when it shall become due: And *Provided further*, That no tax shall be levied or collected to pay any of the principal of said bonds until after the year 1880. [Amended 1870, 15.]

215. § 3. The proposition shall state the rate of interest such bond shall draw, and when the principal and interest shall be made payable.

216. § 4. If two-thirds of the votes cast at any such election for the purposes herein set forth, be in favor of the propositions submitted, the County Commissioners in the case of a county, and the City Council in the case of a city, shall cause the proposition, and the result of the vote, to be entered upon the records of said county or city, and a notice of its adoption to be published for two successive weeks in any newspaper in said county or city, if there be one, and shall thereupon issue said bonds, which shall be and continue a subsisting debt against such county or city, until they are discharged. [Amended taking effect December 1, 1875. Laws, 1875, 87.]

217. § 5. It shall be the duty of the proper officers of such county or city to cause to be annually levied, collected, and paid to the holders of such bonds, a special tax on all the taxable

property within said county or city, sufficient to pay the annual interest as the same becomes due; and when the principal of said bonds become due, such officers shall in like manner collect an additional amount sufficient to pay the same as it become due: *Provided*, That when any bonds have been heretofore issued, such officers shall not levy or collect any amount more than may be necessary to pay the amount annually falling due by the condition of such bond until after the year 1880: *Provided*, That not more than 10 per centum of the principal of said bonds shall be collected in any one year, excepting where bonds have been heretofore issued, and by the conditions of such bonds are required to be paid in some other manner.

218. § 6. Any county or city which shall have issued its bonds, in pursuance of this act, shall be estopped from pleading want of consideration therefor, and the proper officers of such county or city may be compelled by *mandamus*, or otherwise, to levy the tax herein provided to pay the same.

219. § 8. All bonds heretofore voted and issued by any county or city of this state, to aid in the construction of any railroad or other work of internal improvement, are hereby declared to be legal and valid, and a lien upon all of the taxable property in such county or city, notwithstanding any defect or irregularity in the submission of the question to a vote of the people, or in taking the vote, or in the execution of such bonds, and notwithstanding the same may not have been voted upon, executed, or issued, in conformity with law, and such bonds shall have the same legal validity and binding force as if they had been legally authorized, voted upon, and executed: *Provided*, That nothing in this section, nor in this act, shall be so construed as to legalize, or in any way sanction any vote of the people of Nemaha county, heretofore had, for the purpose of aiding in the construction of any railroad, nor anything done by the County Commissioners of said county, authorizing said vote, or anything done by them in consequence of such vote.

220. § 9. That after the year 1880, the officers of any county or city may levy and collect not exceeding 10 per centum of the principal of said bonds: *Provided*, Said bonds are not payable in installments not exceeding ten per centum; and whenever any county, city, or precinct, shall have on hand an amount exceeding two thousand dollars, for the payment of the principal of said indebtedness, the corporate authorities of such county or city shall advertise for the surrender of any such indebtedness;

and the person offering to surrender such indebtedness on the lowest and best terms shall receive the money and surrender such indebtedness; and if at any time there shall have accumulated a sum exceeding ten thousand dollars, the same may be invested in Nebraska state stock, or in United States stocks. [1870, § 3, 15.]

221. § 10. All taxes which have been paid to raise a sinking fund to pay the principal of such indebtedness, and now on hand, shall be returned to the person paying the same. [1870, § 4, 15,]

7.—REFUNDING BONDS.

222. § 11. That any county, precinct, or city, in the state of Nebraska, which has heretofore voted and issued bond or bonds to aid in the construction of any railroad or other work of internal improvement, and which bond or bonds, or any part thereof still remain and are a legal liability against such county, precinct, or city, and bearing interest at a greater rate than seven (7) per centum per annum, is hereby authorized to issue coupon bond or bonds, bearing interest at a rate not exceeding seven (7) per centum per annum, to be substituted or exchanged for such bond or bonds heretofore issued, whenever such county, precinct, or city, can effect such substitution or exchange dollar for dollar: *Provided*, That no such refunding bonds shall be issued except after four (4) publications of notice thereof in at least two weekly papers, published in the county, by the duly constituted authorities of such county, city, village, or precinct, which notice shall recite the date, number, and denomination, of the bonds sought to be refunded, and also of the bonds sought to be issued. [Amended 1885, chap. 59.]

223. § 12. The new bond or bonds so issued shall have recited therein the object of its or their issue, the whole of the act under which the issue is made, stating the issue to be in pursuance thereof, and shall also state the number, date, and amount, of the bond or bonds for which it is or they are issued; and such new bond or bonds shall not be delivered until the surrender of the bond or bonds so designated. [Id.]

224. § 13. The new bond or bonds so issued shall not require a vote of the people to authorize such issue, shall be paid and the levy be made and tax collected for payment of same in accordance with the laws now governing the said bond or bonds heretofore issued. [Id.]

8.—BONDS—INTEREST.

[COMP. STAT., 1887, CHAP. 44, PAGE 484.]

225. § 10. All warrants issued by the proper authorities of the state, county, city, town, or other municipal subdivision less than a county, shall draw interest from and after the date of their presentation for payment, at the rate of seven per cent per annum, and all bonds issued by any county, city, township, precinct, or school district, shall not draw interest at a rate exceeding eight per cent per annum.

9.—CORPORATIONS—RAILROAD COMPANIES.

[COMP. STAT., 1887, CHAP. 16, PAGE 244.]

226. § 75. Such corporation shall be authorized and empowered to lay out, locate, construct, furnish, maintain, operate, and enjoy, a railroad with single or double tracks, with such side tracks, turnouts, offices, and depots, as shall be necessary, between the places at the termini of the said road, commencing at or within and extending to or into any town, city, or village, named as the termini of said road, and construct branches from the main line to other towns or places within the limits of this state. [Amended 1871, 104.]

227. § 83. If it shall be necessary, in the location of any part of any railroad, to occupy any road, street, alley, or public way or ground of any kind, or any part thereof, it shall be competent for the municipal or other corporation or public officer or public authorities, owning or having charge thereof, and the railroad company, to agree upon the manner, and upon the terms and conditions upon which the same may be used or occupied; and if said parties shall be unable to agree thereon, and it shall be necessary, in the judgment of the directors of such railroad company, to use or occupy such road, street, alley, or other public way or ground, such company may appropriate so much of the same as may be necessary for the purposes of such road, in the same manner and upon the same terms as is provided for the appropriation of the property of individuals by the eighty-first section of this chapter.

228. § 101. Any railroad corporation may raise or lower any turnpike, plank road, or other way, for the purpose of having their railroad pass over or under the same; and in such cases

said corporation shall put such turnpike, plank road, or other way, as soon as may be, in good repair.

229. § 102. Every railroad corporation, while employed in raising or lowering any turnpike or other way, or in making any other alterations, by means of which the said way may be obstructed, shall provide, and keep in good order, suitable temporary ways to enable travelers to avoid or pass such obstructions.

229. § 103. Every railroad corporation shall maintain and keep in good repair all bridges, with their abutments, which such corporation shall construct, for the purpose of enabling their road to pass over or under any turnpike, road, canal, water-course, or other way.

230. § 104. A bell of at least thirty pounds weight, or a steam whistle, shall be placed on each locomotive engine, and shall be rung or whistled at a distance of at least eighty rods from the place where the said railroad shall cross any other road or street, and be kept ringing or whistling until it shall have crossed said road or street, under a penalty of fifty dollars for every neglect, to be paid by the corporation owning the railroad, one-half thereof to go to the informer, and the other half to this state, and also be liable for all damages which shall be sustained by any person by reason of such neglect.

10.—REVENUE FROM INTERNAL IMPROVEMENTS.

AN ACT to amend Section one (1) of Article seven (7,) Chapter seventy-seven (77) of the Compiled Statutes, entitled "Revenue," and to repeal said section as now existing.

Approved March 27, 1889. In force July 1, 1889.

231. § 1. That section one (1) of article seven (7) of chapter seventy-seven (77) of the Compiled Statutes, entitled "Revenue," be amended so as to read as follows:

232. § 1. That where any township, precinct, incorporated city, or village, in this state, has heretofore or may hereafter issue any bonds to aid in construction or completion of any works of internal improvements, the revenues which shall arise from the taxation of such internal improvement shall be set apart forever to pay the interest and principal upon said bonds, until the same shall be fully paid; and in the event that such revenues shall not be sufficient to pay such bonds at their maturity, such revenues shall still be set apart and shall be credited to the general fund required from such township, precinct, incorporated city or village, before such tax list is extended until the same shall be fully reimbursed.

11.—CITY OFFICERS NOT TO BE INTERESTED IN CONTRACT.

AN ACT to punish city and village officers who become interested in contracts with the city or village, or who furnish any material to any person contracting with the city or village.

Approved March 15, 1889 ; Emergency.

233. § 1. Any officer of any city in this state who shall hereafter be interested directly or indirectly in any contract to which the city is a party, or who shall enter into any contract to furnish, or shall furnish, to any contractor or subcontractor with a city of which he is an officer, any material to be used in performing any contract with such city, shall, upon conviction thereof, be fined in any sum not less than one thousand dollars, (\$1,000,) nor more than five thousand dollars, (\$5,000.)

233. § 2. Any officer of any village in this state who shall hereafter be interested directly or indirectly in any contract to which such village is a party, or who shall enter into any contract to furnish, or shall furnish to any contractor or subcontractor with the village of which he is an officer, any material to be used in performing any contract with such village, shall, upon conviction thereof, be fined in any sum not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars.

12.—CIVIL RIGHTS.

[COMP. STAT., 1887, CHAP. 14A, PAGE 228.]

234. § 1. All persons within this state shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges, of inns, public conveyances, barber shops, theaters, and other places of amusement; subject only to the conditions and limitations established by law, and applicable alike to every person. [1885, chap. 104.]

235. § 2. Any person who shall violate the foregoing section by denying to any person, except for reasons by law applicable to all persons, the full enjoyment of any of the accommodations, advantages, facilities, or privileges, enumerated in said section, or by aiding or inciting such denials, shall for each offense be deemed guilty of a misdemeanor, and be fined in any sum not less than twenty-five dollars, (\$25.00,) and not more than two hundred dollars, (\$200.00,) and pay costs of the prosecution, and in default or refusal to pay the fine and costs, be imprisoned in the county jail until such fine and costs are paid.

13.—EXEMPTION FROM POLL TAX.

AN ACT to exempt pensioners, disabled soldiers, and invalids, from paying a poll tax or working on the public highways in this state.

Approved March 29, 1889. In force July 1, 1889.

236. § 1. That all pensioners of the United States shall be exempt from paying a poll tax or performing any labor on any highway in this state.

14.—INSURANCE COMPANIES—TAXATION OF.

AN ACT to require insurance companies organized under the laws of this state, and doing business in Nebraska, to pay a duty or rate for the support of fire companies composing the fire department of any city or village.

Approved April 3, 1889. In force July 1, 1889.

237. § 1. There shall be paid on the first days of July and January in each year to the Treasurer of any city or village organized under the laws of this state, for the use, support, and benefit of the companies composing such fire department, by every underwriter who shall effect any fire insurance and by every person who shall act as agent for any fire insurance corporation, company, association, or underwriter whatever, in such city, or village, a duty or rate of two per centum upon the amount of all premiums which, during the year, or a part of a year, ending on the next preceding first day of July, or January, shall have been received by such underwriter or agent, or by any other person for him, or shall have been agreed to be paid upon any insurance effected, or agreed to be effected or promised by him, as such agent or otherwise, against loss or injury by fire in any such city or village.

238. § 2. No person shall in any such city or village, as underwriter, agent, or otherwise, effect or agree to effect, or procure to be effected, any insurance upon which the above duty or rate is required to be paid until he shall have executed and delivered to such Treasurer a bond in the sum of one thousand dollars, with such sureties as such Treasurer shall approve, conditioned, that he will render to such Treasurer, on the first days of July and January in each year, a just and true account, verified by his affidavit, of all premiums which, during the six months immediately preceding such report, shall have been received by him, or any other person for him, or agreed to be paid for any insurance against loss or injury by fire in any such city or village, which shall have been effected or agreed to be effected by him, and that he will semi-annually on the first days of July and

January in each year, pay to the said Treasurer two per centum upon the full amount of such premiums, for the use, support, and benefit, of such fire departments as aforesaid.

239. § 3. Every person who shall effect or agree to effect any fire insurance in any such city or village without having executed and delivered such bond, or who shall willfully omit or refuse to pay such duty or rate, shall be deemed guilty of a misdemeanor, and for each offense shall be subject to indictment, and upon conviction thereof, in any court of competent jurisdiction, shall be fined in any sum not exceeding one thousand dollars, or be imprisoned in the county jail not exceeding six months, or both, in the discretion of the court. Said duty or rate may also be recovered of such fire insurance corporation, company, or association, or its agent, or both, by action in the name and for the use of such fire department, as for money had and received for its use, support, and benefit as aforesaid.

240. § 4. The requirements of this act shall apply only to such cities and villages as have an organized fire department of at least one fire engine or hose company, with not less than ten active members, having at least one good fire engine or hose cart, and not less than five hundred feet of sound rubber, leather, or other hose, kept in an engine house, fit and ready at all times for actual service, and at least one hook and ladder company with not less than twelve active members, having a good hook and ladder truck; and in case of a paid or partly paid fire department, the buildings, machinery, and material, hereinbefore enumerated, and the necessary men, teams, and equipments, so as to constitute an active and properly equipped department, ready for service at all times.

15.—LIBRARIES.

[COMP. STAT., 1887, CHAP. 49, 493.]

241. § 1. The City or Town Council of each incorporated city or town shall have power to establish and maintain a public library and reading-room for use of the inhabitants of such city or town, and may levy a tax of not more than one mill on the dollar annually, to be levied and collected in like manner as other taxes of said city or town, and to be known as the library fund. [1877, § 1, 150.]

242. § 2. When any City or Town Council shall have decided by ordinance to establish and maintain a public library and

reading-room under this act, they shall elect a Library Board of nine directors, to be chosen from the citizens at large, of which Board neither the Mayor or any member of the City or Town Council shall be a member. Such directors first elected shall hold their office, three for the term of one year, three for the term of two years, and three for the term of three years, from the first day of July following their appointment, and three directors shall be chosen annually thereafter; and in cases of vacancies by resignation, removal, or otherwise, the Council shall fill such vacancy for the unexpired term, and no director shall receive any pay or compensation for any services rendered as member of such board, and such directors shall give such bond as the Council may require.

243. § 3. Such directors shall, immediately after their appointment, meet and organize, by electing one of their number President, and such other officers as may be necessary. Five of such board shall be a quorum. They shall have power to make and adopt such by-laws, rules, and regulations, for their own guidance, and for the government of the library and reading-room, as they may deem expedient, subject to the supervision and control of the City or Town Council, and not inconsistent with this act. They shall have exclusive control of expenditures of all moneys collected or donated to the credit of the library fund, and of the renting and construction of any library building, the supervision, care, and custody of the grounds, rooms, or buildings, constructed, leased, or set apart for that purpose.

244. § 4. Any tax levied or collected, or funds donated thereto, shall be kept for the use of such library, separate and apart from other funds of said city or town, and shall be drawn upon by the proper officers upon the authenticated vouchers of the Library Board, and shall not be used or disbursed for any other purpose.

245. § 5. The Library Board shall have power to purchase or lease grounds; to erect, lease, or occupy an appropriate building for the use of such library; to appoint a suitable librarian and assistants, to fix their compensation, and to remove their appointments at pleasure; and shall have power to establish regulations for the government of such library as may be deemed necessary for its preservation, and to maintain its usefulness and efficiency, and to fix and impose by general rules, penalties, and forfeitures, for trespasses, or injury upon or to the library grounds, rooms, books, or other property, or failure to return any book, or for violation of any by-law or regulation; and shall have and exer-

cise such power as may be necessary to carry out the spirit and intent of this act, in establishing and maintaining a public library and reading-room.

246. § 6. Every library and reading-room established under this act shall be forever free to the use of the inhabitants of the city or town, subject always to such reasonable regulations as the Library Board may adopt to render said library and reading room of the greatest use to the inhabitants of said city or town, and the board may exclude from the use of the library and reading-rooms any person who shall willfully violate or refuse to comply with rules and regulations established for the government thereof.

247. § 7. The Library Board shall, on or before the second Monday in June in each year, make a report to the City or Town Council of the condition of their trust on the first day of June in such year, showing all moneys received or expended, the number of books and periodicals on hand, newspapers and current literature subscribed for or donated to the reading-room department; the number of books and periodicals ordered by purchase, gift, or obtained during the year, and the number lost or missing; the number of visitors attending; the number and character of books loaned or issued, with such statistics, information, and suggestions, as they may deem of general interest, or as the City or Town Council may require, which report shall be verified by affidavit of the proper officers of said board.

248. § 8. Any by-law or regulation established by the Library Board, may be amended or annulled by the Council of said city or town.

249. § 9. Penalties imposed or accruing by any by-law or regulation of the Library Board may be recovered in a civil action before the Police Judge, or any Justice of the Peace, or other court having jurisdiction; such action to be instituted in the name of the "Library Board of the City or Town Library," and moneys collected in such action shall be forthwith placed in the city treasury to the credit of the library fund.

250. § 10. Any person may make any donation of money or lands for the benefit of such library, and the title to property so donated may be made to and shall vest in the Library Board and their successors in office, and such board shall thereby become the owners thereof in trust to the uses of the public library of such city or town.

251. § 11. The property of such library shall be exempt from

execution, and shall also be exempt from taxation, as other public property.

252. § 12. The Library Board shall have power to authorize any circulating library, reading matter, or work of art of any private person, association, or corporation, to be deposited in the public-library rooms, to be drawn or used outside of the rooms only on payment of such fee or membership as the person, corporation, or association, owning the same may require. Deposits may be removed by the owner thereof at pleasure, but the books or other reading matter so deposited in the rooms of any such public library shall be separately and distinctly marked, and kept upon shelves apart from the books of the public city or town library, and every such private or associate library, or other property so deposited in any public library, while so placed or remaining, shall be subject to use and reading within the library room without charge by any person an inhabitant of said city or town and entitled to the use of the free library.

16.—SEAT OF GOVERNMENT.

[COMP. STAT., 1867, CHAP. 82, PAGE 688.]

253. § 1. That the Governor, Secretary of State, and the Auditor, be and they are hereby appointed Commissioners for the purpose of locating the seat of government and the public buildings of the state of Nebraska.

254. § 3. On or before the fifteenth day of July, A. D. 1867, the Commissioners, or a majority of them, shall, upon actual view, select from the lands belonging to the state, within the following limits, to-wit: The county of Seward, the south half of the counties of Saunders and Butler, and that portion of the county of Lancaster lying north of the south line of township nine, a suitable site of not less than six hundred and forty acres, lying in one body, for a town, due regard being had to its accessibility from all portions of the state, and its general fitness for a capital. They shall then appoint a suitable person as surveyor, and such other assistants as may be necessary, who shall take and subscribe an oath similar to the one taken by the Commissioners. They shall immediately survey, lay off, and stake out, the said tract of land into lots, blocks, streets, and alleys, and public squares, or reservations for public buildings, which said town, when so laid out and surveyed, shall be named and known as Lincoln, and the same is hereby declared to be the permanent

seat of government of the state of Nebraska, at which all of the public offices of the state shall be kept, and at which all of the sessions of the Legislature shall hereafter be held.

255. § 11. The State University and State Agricultural College shall be united as one educational institution, and shall be located upon a reservation selected by said Commissioners in said "Lincoln," and the necessary buildings shall be erected thereon as soon as funds can be secured by the sale of lands donated to the state for that purpose, or from other sources.

256. § 12. The penitentiary of the state shall be located upon a reservation selected by the said Commissioners in the said "Lincoln," or upon lands belonging to the state, and adjacent to said town of "Lincoln," and the necessary building shall be erected as soon as funds can be secured.

257. § 13. As soon as the capitol building provided for in this act is erected and completed, it shall be the duty of the Governor to issue his proclamation announcing said fact, and thereupon it shall be the duty of all the state officers whose offices are properly kept at the capitol, to remove, within three months, their several offices, together with the public property, archives, records, books, and papers, to said "Lincoln," and all sessions of the Legislature shall thereafter be convened at the same place.

17.—MARKET SQUARE.

AN ACT granting to the city of Lincoln a certain block of lots in said city for a market place.

Approved February 24, 1875.

258. § 1. That there is hereby granted and donated to the city of Lincoln for public use as a market square, all of block twenty-nine in said city, theretofore known as and called "The State Historical Society Block."

259. § 2. That it is a fundamental condition of this grant that said block shall forever remain the public property of said city for the use of its citizens for market purposes, and shall never be sold or alienated by said city.

18.—UNION SQUARE.

AN ACT to change the name of Market Square in the city of Lincoln.

Approved February 25, 1875.

260. § 1. That block forty-three in the city of Lincoln, heretofore called and known as Market Square, and sometimes as Market Space, in the city of Lincoln, shall hereafter be called and known as Union Square.

PART TWO.

General Ordinances of the City of Lincoln.

1716.

AN ORDINANCE

For revising and consolidating the general ordinances of the city of Lincoln, Nebraska, and arranging the special ordinances, the charter, and the rules of the Excise Board for publication in book form.

WHEREAS, It is expedient that the general ordinances of the city of Lincoln, Nebraska, should be consolidated and arranged in appropriate chapters, articles, sections, and paragraphs; that omissions should be supplied and defects amended, and that the whole should be rendered plain, concise and intelligible; and that the special ordinances of the city, the charter, and the rules of the Excise Board should be arranged for publication in book form: Therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

SECTION 1. That the ordinances of the city of Lincoln as revised and compiled under title of "Revised Ordinances of Lincoln, Neb.," by L. W. Billingsley and R. J. Greene, and the special ordinances, charter of the city, and rules of the Excise Board, arranged, printed, and published in book and pamphlet form, as follows:

AN ORDINANCE creating the different offices of the city of Lincoln, defining the duties of city officers, prescribing their official oaths and bonds, the manner of giving the same, and disqualifying city officers as bondsmen in certain cases, providing for their removal and the filling of vacancies, prescribing causes for forfeiture of office and establishing the procedure to be followed, rendering city officers ineligible to other city offices, investing members of the Fire Department with police powers, providing for the destruction of property in emergencies, establishing regulations for the various departments, and prescribing penalties and forfeitures for the violation thereof and for violations of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

CHAPTER I.

CITY OFFICERS.

ARTICLE I.—Elective Officers.

II.—Appointive Officers and Employees.

III.—Official Oaths and Bonds.

IV.—Salaries.

V.—Special Provisions.

VI.—Removal of Officers.

ARTICLE I.

Elective Officers.

261. § 1. The elective officers of the city of Lincoln shall consist of a Mayor, City Treasurer, City Clerk, Water Commissioner, City Attorney, City Engineer, and Police Judge, to be elected by a plurality of the votes of the whole city for the term of two years. There shall also be an Excise Board, consisting of the Mayor and two members elected by the city at large, who shall serve for two years. Two Councilmen shall be elected from each ward, and shall hold office for the term of two years. Each of said officers shall be elected at the time prescribed by the law governing cities of the first class, and shall perform such duties as may be imposed by law or ordinance.

ARTICLE II.

Appointive Officers and Employees.

262. § 1. The appointive officers of the city of Lincoln shall consist of a Deputy City Attorney, Street Commissioner, Assistant Street Commissioner, Chief of Fire Department, Building Inspector, three members of the Board of Public Works, Deputy Clerk, Deputy Treasurer, Tax Collector, Health Officer, Marshal, and City Physician.

263. § 2. The Street Commissioner, Assistant Street Commissioner, and Chief of Fire Department, shall be appointed by the Mayor, with the assent of the Council, as soon as may be after the beginning of each municipal year. Each of said officers shall hold office until the end of the municipal year in which appointed, unless sooner removed by a three-fourths vote of the Council. The Mayor may also appoint temporarily a Justice of the Peace of the city to fill vacancy in office of Police Judge.

264. § 3. The Mayor shall also, with the assent of the Council, each year appoint one member of the Board of Public Works, who shall hold office for the term of three years, unless sooner removed by a two-thirds vote of the Council, or by a vote of the Mayor and a majority of the Council.

265. § 4. The Chief of Police shall be appointed by the Excise Board and shall hold his office during the pleasure of the Excise Board.

Such number of regular police as may be deemed advisable may be appointed by the Excise Board, and may be removed by it at pleasure. In case of emergency the Mayor may appoint a necessary number of special police, who shall be removable at his pleasure.

266. § 5. The Health Officer shall be a regular policeman of the city, and shall perform such duties as may be imposed by ordinance. He shall be appointed by the Mayor.

267. § 6. The City Physician shall be appointed by the Mayor with the consent of the City Council, at such time as the

Council shall by resolution direct, and his services may be dispensed with at any time by a majority vote of the Council.

268. § 7. The Deputy Treasurer shall be appointed by the City Treasurer, who shall be liable upon his bond for all the acts of such Deputy.

269. § 8. The Mayor shall appoint such number of employes in the fire department of the city as the Council may provide by ordinance or resolution.

270. § 9. Such number of clerks and assistants as the Council shall authorize by ordinance or resolution may be appointed by the Mayor to assist the various city officers: *Provided*, That such persons only may be appointed as shall be recommended by the respective officers and be satisfactory to a majority of the Council.

271. § 10. The employes named in the two preceding sections shall hold their positions for such time as the Council may prescribe.

272. § 11. The Mayor shall have power to authorize the employment of such number of laborers in the various departments of the city as the Council may from time to time direct by resolution. Laborers shall only be employed for such time and in such number as shall be necessary.

ARTICLE III.

Official Oaths and Bonds.

273. § 1. All officers of this city, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation :

“I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the state of Nebraska, and that I will faithfully discharge the duties of the office of according to the best of my ability.”

Which oath or affirmation so subscribed shall be filed in the

office of the City Clerk, except that of the Clerk, which shall be filed with the City Treasurer.

274. § 2. Before entering upon the duties of their respective offices, the Mayor, Clerk, Police Judge, members of Board of Public Works, Water Commissioners, members of Excise Board, Chief of Police, Street Commissioner, Assistant Commissioner, Chief of Fire Department, City Engineer, City Attorney and Deputy City Attorney shall severally execute bonds for the faithful performance of their duties, with not less than two good and sufficient sureties to the satisfaction of the Council, in the following penal sums :

Mayor	\$5,000
Clerk	5,000
Police Judge	5,000
Chairman Board Public Works.....	15,000
Other members Board Public Works..	10,000
Water Commissioner	5,000
Members Excise Board, except Mayor.....	2,000
Chief of Police.....	1,000
Street Commissioner.....	2,000
Assistant Commissioner.....	1,000
Chief Fire Department.....	2,000
City Engineer.....	2,000
City Attorney.....	5,000
Deputy City Attorney.....	5,000

275. § 3. The Treasurer of the city of Lincoln shall, before entering upon the duties of his office, execute a bond in the penal sum of three hundred thousand (300,000) dollars, with at least five good and sufficient sureties to the satisfaction of the Council, conditioned that he will faithfully perform all duties of his office as the same are or may be provided by law or ordinance of the city of Lincoln, and that he will faithfully account for all moneys that may come into his possession by virtue of his office, and for all acts of his deputy.

276. § 4. Each Councilman-elect shall, before entering upon the duties of his office, give a bond in the sum of two thousand dollars, with two or more good and sufficient sureties, residents

and freeholders of the city, who shall each justify that he is worth at least two thousand dollars over and above all debts, liabilities, and exemptions, conditioned for the faithful discharge of the duties of the Councilman giving the same, and further conditioned that said Councilman shall not vote for any expenditure of money or the creation of any liability in excess of the amount allowed by law, and shall not vote for the transfer of any sum of money from one fund to another where such transfer is not allowed by law.

277. § 5. The bonds of all officers shall be given to the city of Lincoln, and shall be given, approved, and filed, within the time required by law, and before any of said officers shall enter upon the discharge of their respective duties.

278. § 6. Such sureties shall justify separately on the back of the bond that they are respectively worth the sums stated in their respective justifications over and above all debts and liabilities by them owing or incurred, or for which their own property is liable or encumbered at the time of justification, and over and above all exemptions by law of their property from execution. The sums stated in such justifications on the bond of any officer shall in the aggregate amount to the penalty of such bond.

279. § 7. The bonds of all officers, except the Clerk, shall be filed with and remain in the custody of the City Clerk. The bond of the Clerk shall be filed with and remain in the custody of the City Treasurer. If the sureties on the official bond of any officer of the city should, in the opinion of the Mayor and Council, become insufficient, the Mayor and Council may by resolution fix a reasonable time within which such officer may give a new bond, or additional sureties, as directed by such resolution, and should such officer fail, refuse, or neglect to give such new bond, or sureties within the time prescribed in said resolution, to the satisfaction and approval of said Mayor and Council, then the office shall, by reason of such failure, refusal, or neglect, become vacant, and it shall be the duty of the Mayor, by and with the assent of the Council, to appoint a competent and qualified person to fill such office.

ARTICLE IV.

Salaries.

281. § 1. That the officers and employes of the city of Lincoln, Nebraska, shall be entitled, respectively, to receive in monthly installments, in warrants at par, in full of all services rendered by them at the rate designated hereafter:

Mayor.....	\$1,000 00	per annum.
City Clerk.....	2,000 00	"
Deputy City Clerk.....	1,200 00	"
City Engineer.....	1,800 00	"
City Attorney.....	1,500 00	"
Deputy City Attorney.....	900 00	"
Water Commissioner.....	1,000 00	"
Chairman, Board of Public Works...	1,200 00	"
Each Member, Board of Public Works.....	200 00	"
Each Councilman.....	300 00	"
Each Member of the Excise Board...	300 00	"
City Treasurer.....	2,000 00	"
Deputy City Treasurer.....	1,200 00	"
Tax Collector.....	900 00	"
Police Judge (to be retained by him out of the fees collected, for his services in cases arising under the ordinances of the city).....	1,500 00	"
Chief of Police.....	100 00	per month.
Each captain of police.....	65 00	"
Each regular police.....	60 00	"
Each special policeman, such sum as may be fixed at the time of his employment, not to exceed two (\$2.00) dollars for each day's or night's services actually rendered.		
Street Commissioner.....	75 00	"

Health Officer.....	\$70 00	per month.	
City Physician.....	300 00	per year.	
Assistant Street Commissioner.....	60 00	per month.	
City Jailer.....	50 00	"	
Driver of patrol.....	45 00	"	
Janitor.....	45 00	"	
City Detective.....	65 00	"	
Inspector Meats and Live Stock.....	60 00	"	
Each Tapper in Water Department..	70 00	"	
Engineer No. 1, Rice Well.....	65 00	"	
Engineer No. 2, Rice Well... ..	65 00	"	
Two firemen, Rice Well.....	50 00	"	each.
Engineer No. 1 at "F" St... ..	65 00	"	
Engineer No. 2 " "	60 00	"	
Two firemen " "	50 00	"	"
Two engineers at "C" St.....	65 00	"	"
Chief of Fire Department.....	100 00	"	
Captain No. 1 of Fire Department...	70 00	"	
Two captains, No. 2.....	65 00	"	"
Engineer of Fire Department.....	70 00	"	
Each regular member, Fire Department	60 00	"	

And all other employes of the city shall receive such wages or salary as may be fixed by the Council at the time of their employment, and all laborers shall receive a compensation not to exceed \$1.75 per day.

§ 2. That all appointees in the Fire, Police, and Water Departments shall be paid a salary, respectively, per month for the first three months of their service ten dollars less than the amount as specified in section one hereof: *Provided*, That all persons who are or may be appointed in any of the said departments who shall have served for the space of three months in the same position during the year last past prior to their said appointment shall receive the salary as specified in section one hereof.

ARTICLE V.

Special Provisions.

282. § 1. No member of the City Council, or other officer of this city, shall be accepted as security on any official bond, or upon any contractor's bond, license or appeal bond, given to the city, or under any ordinance thereof, or from convictions in the Police Court.

283. § 2. No official bond shall be approved by the Mayor and Council unless the form thereof shall have been first approved by the City Attorney, attested by his indorsement thereon.

284. § 3. Any officer desiring to be temporarily absent from the city shall apply to the Mayor for leave of absence, which may, in the discretion of the Mayor, be granted, in writing, for any term not exceeding thirty days, and when granted shall be filed with the clerk. If any officer absent himself from the city for the period of sixty days or more, he shall forfeit his salary during such absence, and if absent for ninety days his office may be declared vacant by the Mayor and three-fourths of all the members of the Council.

285. § 4. Every officer shall, upon going out of office, deliver to his successor all books, papers, furniture, and other things appertaining to his office.

286. § 5. Every officer shall, at all times required, submit the books and papers of his office to the inspection of the Mayor, or any member of the City Council.

287. § 6. No officer of this city, nor any deputy, clerk, or employe, of any such officer, nor any servant or agent of this city, shall directly or indirectly, himself or by another, for his own or another's benefit, deal in the purchase of city warrants, bonds, or other obligations of this city.

288. § 7. No city officer collecting money on account of the city of Lincoln, shall retain the same, or any part thereof, to satisfy any claims for wages or salary which he may have against the city.

289. § 8. All officers of this city, unless otherwise provided by law or ordinance, shall hold their offices for one year and until their successors shall be duly appointed and qualified, and the terms of all elective officers shall begin on the second Tuesday in April the terms of all appointive officers shall begin on the third Tuesday of April.

290. § 9. Any city officer upon whom the duty devolves is hereby authorized to demand and receive as fees for the use of the city, except where provision is herein made to the contrary:

For the use of the corporate seal on any attestation, acknowledgment, or other certificate, fifty cents.

For certified copies of any record, each one hundred words, ten cents.

291. § 10. All officers of the city shall, in addition to the reports by ordinance required to be made by them, report to the Mayor in writing, when required, the condition of their respective offices, and of the business, and all matters therein touching the interests of the city.

292. § 11. Any officer violating any provision of this ordinance shall be deemed guilty of misconduct in office and liable to removal from office therefor.

ARTICLE VI.

Removal of Officers.

293. § 1. That when any officer elected by the qualified voters of the city, or any ward or district thereof, shall have become habitually intemperate or in any way incompetent to discharge the duties of his office, or become grossly negligent in the discharge of his duties, or shall have removed from the city, ward, or district for and in which he was elected, or shall have been guilty of any act or conduct sufficient to constitute a misdemeanor in office, or shall have neglected or refused to pay over any money in his hands belonging to the city, or to present his books or accounts to the proper officer or committee of the Coun-

cil for adjustment or settlement, or shall have been convicted of any crime or offense of an infamous character while in office, he shall be subject to removal from office by the City Council.

294. § 2. All complaints made before the City Council, preferring charges against any member of the City Council, or any officer elected by the votes of the city, or any ward or district of the city, shall be in writing, and shall set forth clearly and specifically the grounds of such charges. Such complaint shall be signed and verified by oath or affirmation, by the person making the same, before any officer authorized to administer oaths, and shall be filed with the City Clerk who shall report the same immediately to the Council, if the Council be then in session, or if not then in session, then at the next meeting.

295. § 3. Upon such complaint coming before the Council, if in the opinion of a majority of the members the charges therein made are proper to be tried and investigated, they shall fix a time and place for the trial of the same, which shall not be less than ten days thereafter.

296. § 4. The City Clerk shall make a certified copy of such charges and specifications, with a notice of the day set for hearing the same, and deliver the same to the City Marshal who shall serve the same upon the accused at least five days before the day of hearing.

297. § 5. The Marshal shall endorse a return upon such complaint of the manner and time of such service, and shall file the same with the City Clerk on or before the day set for hearing.

298. § 6. On the day of trial, or at any meeting previous thereto, the defendant may make an application in writing for a continuance, setting forth his reasons therefor, and if the Council consider the same sufficient, it may grant a reasonable delay or continuance. They shall also have power to make such order in case the testimony on the part of the city is not ready. In case an adjournment shall be had, notices of the adjourned meeting shall be issued by the Clerk and served by the Marshal, on all the members, at least one day previous to the meeting, and

all notices, subpoenas, and citations, issued under the provisions of this article left at the residence of any party shall be considered sufficient and legal service.

299. § 7. When such trial is held the presiding officer shall cause the Clerk to read to the Council the charges and specifications, and declare the trial of the person accused to be the only business in order; after which the following oath or affirmation shall be administered by the Mayor, or in his absence any judge or magistrate of the county, to every member of the Council present:

“You do solemnly swear and affirm that you will try the case now pending before you, and give your opinion as to the truth of the charges made according to the law and evidence. So help you God.”

300. § 8. After hearing all the proof on both sides, the prosecution and defense may address the City Council, and afterward any member in his place may comment upon the case. The hearing throughout shall be conducted as nearly as possible in the same manner as causes are heard in the courts of justice. All questions arising during the progress of the trial shall be determined by the President in the first instance subject to an appeal to the Council.

301. § 9. Subpoenas for witnesses to testify on such trial shall be issued by the presiding officer and shall be served by the Marshal or any policeman.

302. § 10. Any witness who will neglect to obey such subpoena, or, appearing, shall refuse to testify, may be punished by imprisonment or fine.

303. § 11. Depositions of witnesses beyond the jurisdiction of the Council, or disabled by sickness or other cause from attendance, may be read on the trial, if taken in conformity with the laws of the state. The notice of the taking thereof, when taken on behalf of the accused, shall be served on the City Attorney or the Mayor.

304. § 12. Upon any trial had, as aforesaid, the accused shall be entitled to be heard by himself and counsel, in his defense;

and the City Attorney shall attend the trial and prosecute on behalf of the city.

305. § 13. Witnesses upon such trial shall be entitled to the same fees as for attendance on the Police Court. The presiding officer at the trial shall certify the amount of costs and the names of the persons to whom the same is due, to the City Council, who shall audit and allow the same.

306. § 14. The proceedings of the Council on such trial shall be entered at large on their journal.

307. § 15. The Council may refer such charges against any officer to a committee of not less than three members thereof to take the testimony and report the same to the City Council. Such committee shall have the same power and its proceedings shall be in all respects the same as herein provided for a trial before the whole Council.

308. § 16. Within three days after the evidence shall have been taken, or the report of the committee received and the testimony read to the Council, the Council shall proceed to vote upon each charge separately. The question shall be: "Is the accused guilty or not guilty?" If two-thirds of the whole number elect of the Council vote guilty on either of the charges, they may resolve that he be removed from office; and if they so resolve, they shall notify the Mayor thereof, who shall thereupon declare the office of said accused vacant.

309. § 17. All vacancies in any elective office shall be filled by the Mayor, by and with the assent of the Council. Such appointee shall hold until the next general municipal election. In case of any vacancy occurring in the office of any Councilman, the Mayor shall fill the vacancy by appointment of some qualified resident of the ward in which the vacancy exists, with the assent of the Council.

CHAPTER II.

ARTICLE I.—The Mayor.

II.—President of the Council.

ARTICLE I.

The Mayor.

310. § 1. The Mayor shall take an oath of office, to be administered by the City Clerk or other officer authorized to administer oaths, in the presence of the Council, and so many citizens as may desire to be present, at the Council chamber, on the second Tuesday of April, at the hour of 7:30 o'clock P. M.

311. § 2. The Mayor shall be the chief executive officer of the city, and conservator of its peace, and it shall be his special duty to cause the ordinances and regulations of the city to be faithfully and constantly obeyed, and that the provisions of the general laws governing the city are complied with.

312. § 3. The Mayor shall exercise a general supervision over all the departments of the city government, and see that the duties appertaining to the various city offices are properly performed. He may call upon any officer for information in relation to the business of his office, and shall examine the grounds of all reasonable complaints made against any city officer, and cause all violations of duty, or neglect of any city officer, to be properly punished or reported to the Council for correction.

313. § 4. The Mayor shall appoint, by and with the consent of the City Council, all officers whose appointment is not otherwise by law or ordinance provided for; and whenever a vacancy shall happen in any office which by law he is empowered to fill, he shall, within thirty days after the happening of such vacancy, communicate to the Council the name of his appointee to such office, and pending the concurrence of the Council in such ap-

pointment, the Mayor may appoint some suitable person to discharge the duties of such office. He shall sign all commissions and permits granted by authority of the City Council, except as otherwise provided, and such other acts as by law or ordinance may require his certificate.

314. § 5. The Mayor shall preside at all meetings of the Council, and shall have the casting vote when the Council is equally divided, except as otherwise provided by law. He shall from time to time communicate to the Council such information and recommend such measures as in his opinion may tend to the improvement of the finances of the city, the police, health, comfort, and general prosperity of the city, and shall have jurisdiction over all places within five miles of the corporate limits of the city for the enforcement of health or quarantine ordinance, and regulation thereof, and of all ordinances of the city, excepting taxation, within one-half mile of the corporate limits of the city.

315. § 6. In case of any riot, rout, or unlawful assembly, the Mayor shall have power to direct the action of the police of the city, to call to his aid all citizens in suppressing the same, and, in case of necessity, to employ special police. He shall have power to make arrests in cases where he shall have good reason to believe that offenses have been, or are about to be, committed, and to summons citizens to his aid in making such arrests.

316. § 7. The Mayor shall have authority to direct and aid in the removal of paupers from the city, and in case of extreme necessity, to provide for their temporary support. He shall have power to make provision for the temporary keeping and protection of idiots and insane persons, when unaccompanied by proper guardian, and shall take immediate steps to have them transferred to the proper authorities. He shall have authority to employ and provide medical attendance, in cases of necessity, for indigent sick persons within the city. All expenses incurred by the Mayor, in performing the duties imposed by this section, shall be reported to the Council.

317. § 8. The Mayor shall perform such other duties as may be imposed upon him by law or ordinance. He may, in his discretion, grant temporary leave of absence to any officer, upon good cause shown, and no officer shall leave the city, for any cause, without such leave of absence from the Mayor, under the penalty of forfeiture of his office.

318. § 9. In case of any vacancy in the office of Mayor, or in case of his absence or disability, the President of the Council shall exercise the powers and duties of the office until such vacancy shall be filled or such disability removed or the Mayor returns.

ARTICLE II.

President of the Council.

319. § 1. The Mayor and Council are hereby authorized to elect one of the members of the Council as President of the Council who shall, in the absence of the Mayor, preside at all meetings of the Council, and the President, when occupying the place of the Mayor, shall have the same privileges as other members of the Council, and shall have all the powers of Mayor when so acting, and all his acts while so acting shall be binding upon the Council and upon the city as if done by the Mayor. He shall have no power to act as Mayor while the Mayor is in the city, nor unless absent therefrom more than one day, except to preside at Council meetings, and perform the duties and power of the Mayor while so presiding, or unless an emergency exists and has been so declared by the Council, or the Mayor is disqualified or unable to act.

320. § 2. In the absence of the Mayor and President of the Council, the Council may elect one of their own members as Acting President of the Council, and who shall have all the privileges of other members of the Council, and who shall have the powers and shall perform the duties of the Mayor while so acting. He shall be elected for one meeting at a time only, and his powers and duties shall cease with the adjournment of such

meeting, or his being relieved therein by the Mayor or President of the Council. He shall in no event approve any ordinance, resolution, or contract, unless an emergency exists, and the same is declared by a three-fourths vote of the Council elect. If for any reason the Mayor and President of the Council should both be absent from the city, or both be disqualified or unable to act, and an emergency should exist, then the City Council may elect one of their members as Acting President of the Council, who shall have all the powers and perform all the duties of the Mayor during the absence, disability, or inability to act of the Mayor and President of the Council, but before such election the Council shall declare such emergency, disability, or inability to act of both the Mayor and President of the Council, and a three-fourths vote of the members elect shall be required to elect such Acting President and give him the powers and duties in this clause of this section prescribed.

CHAPTER III.

LEGISLATIVE DEPARTMENT.

ARTICLE I.—The City Council.

II.—The City Clerk.

ARTICLE I.

The City Council.

321. § 1. The City Council shall exercise such powers as are conferred by law. Regular meetings of the Council shall be held at the Council chamber on Monday evening of each week, and special meetings whenever called by the Mayor or any four Councilmen. Two-thirds of all the members elected to the Council shall constitute a quorum for the transaction of any

business, but a less number may adjourn from time to time and compel the attendance of absent members.

322. § 2. The resignation of any member shall be addressed to the presiding officer of the Council, and shall not take effect until accepted by a majority vote of the members present.

323. § 3. Any Councilman absenting himself from any meeting of the Council without reasonable excuse, shall be liable to a fine of not less than one dollar nor more than five dollars, to be imposed by the Council. Sickness, or absence from the city, shall be a valid excuse.

324. § 4. The Chief of Police shall attend the sessions of the Council, and execute all orders of the Council to him directed.

325. § 5. In case of a vacancy in the office of Councilman from any ward, the Mayor shall, by and with the assent of the Council, fill the vacancy by appointment of some qualified resident of the ward in which such vacancy occurs, to hold until the next ensuing general municipal election.

326. § 6. The Council in the transaction of business shall be governed by the following rules and regulations:

RULE I.—At the hour appointed for the meeting of the Council, the Clerk, (or some one filling his place,) shall, on the order of the Mayor, call the roll of members. Two-thirds of all the members elected to the Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and compel the attendance of absent members.

The following shall be the order of business, unless otherwise ordered temporarily by a two-thirds vote.

ORDER OF BUSINESS.

1. Roll call.
2. Reading journal.
3. Petitions and communications.
4. Reports of city officers.
5. Reports of standing committees and resolutions accompanying.

6. Reports of special committees.
7. Unfinished business.
8. Ordinances and resolutions.
9. Claims.
10. Miscellaneous business.

OF THE DUTIES OF THE MAYOR.

327. RULE II.—He shall take the chair at the hour to which the Council shall have adjourned; shall immediately call the members to order, and, on the appearance of a quorum after the calling of the roll, cause the journal of the preceding meeting to be read and corrected.

328. RULE III.—He shall preserve order and decorum; may speak on points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to appeal to the Council by any member; on which appeal no member shall speak more than once, unless by leave of the Council.

329. RULE IV.—He shall rise to put a question, but may state it sitting.

330. RULE V.—All committees shall be appointed by the Mayor, unless otherwise specially directed by the Council.

331. RULE VI.—In all cases where other than a member of the Council shall be eligible to an office by the election of the Council, there shall be a previous nomination by the Mayor.

332. RULE VII.—The Mayor or President presiding shall vote on all questions where there is a tie vote.

333. RULE VIII.—All ordinances, orders, appointments, and licenses, shall be signed by the Mayor.

334. RULE IX.—In the absence of the Mayor, the President of the Council shall preside, and he shall have and exercise the same powers and duties of the Mayor. In the absence of the Mayor and President, any member of the Council may, at a meeting, be elected by a three-fourths vote of the council Acting President to preside at such meeting.

OF DECORUM AND DEBATE.

335. RULE X.—When any member is about to speak in debate or otherwise, or present any matter to the Council, he shall rise from his seat and respectfully address himself to “Mr. President,” and shall confine himself to the matter under consideration, and avoid personalities.

336. RULE XI.—When two or more members happen to rise at once, the Mayor shall name the member who is first to speak.

337. RULE XII.—No member shall speak more than once to the same question, without leave of the Council, unless he be the mover, proposer, or introducer, of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

338. RULE XIII.—While the Mayor is putting any question, or addressing the Council, none shall walk out or across the hall; nor, in such case, or when a member is speaking, shall entertain private discourse; nor while a member is speaking shall pass between him and the chair. Every member shall remain uncovered during the session of the Council.

339. RULE XIV.—Every member who shall be in the Council when the question is put, shall give his vote, unless the Council, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the Council divides, or before the call of the ayes and nays are commenced, and any member requesting to be excused from voting may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

340. RULE XV.—When a motion is made and seconded, it shall be stated by the Mayor; or, being in writing, it shall be handed to the chair, and read aloud by the Clerk before debate.

341. RULE XVI.—Every motion shall be reduced to writing, if the Mayor or any member desire it.

342. RULE XVII.—After the motion is stated by the President, or read by the Clerk, it shall be deemed to be in possession

of the Council, but may be withdrawn at any time before a decision or amendment.

343. **RULE XVIII.**—When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to postpone indefinitely, to commit, or amend, which several motions shall have precedence in the order in which they are named in this rule.

344. **RULE XIX.**—When a resolution shall be offered or a motion made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order: The committee of the whole, a standing committee, a select committee.

345. **RULE XX.**—A motion to adjourn, and a motion to fix the day to which the Council shall adjourn, shall be always in order; these motions, and the motion to lie on the table, shall be decided without debate.

346. **RULE XXI.**—The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Council to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for a previous question, and prior to the seconding of the same, a call of the Council shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to the decision of the main question.

347. **RULE XXII.**—On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

348. **RULE XXIII.**—Any member may call for a division of a question, which shall be divided if it comprehend propositions in substance so distinct that one being taken away a substantive proposition shall remain for the decision of the Council. A motion to strike out and insert shall be deemed inadvisable,

but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

349. RULE XXIV.—No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the Council.

350. RULE XXV.—When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof on the same or succeeding regular meeting, and such motions shall take precedence of all other questions except a motion to adjourn. The motion to reconsider shall require for its adoption the same vote as was required on the vote reconsidered.

351. RULE XXVI.—When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

352. RULE XXVII.—Any two members shall be authorized to compel the attendance of absent members; and any one member to call the ayes and nays.

353. RULE XXVIII.—Upon calls of the Council, or in taking the yeas and nays upon any question, the names of the members shall be called alphabetically.

354. RULE XXIX.—In all cases where a resolution or motion shall be entered on the minutes of the Council, the name of the member moving the same shall also be entered on the journal.

355. RULE XXX.—No member shall absent himself from the service of the Council unless he have leave, or he be sick or unable to attend.

356. RULE XXXI.—Upon the call of the Council, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall be again called over, and those of whom no excuse, or insufficient excuses, are made, may, by order of those present, if two

in number, be taken in custody as they appear, or may be sent for and brought to the bar of the Council wherever found, by special messengers to be appointed for that purpose.

357. RULE XXXII.—The Chief of Police, or policeman designated by him, shall be *ex-officio* sergeant-at-arms, whose duty it shall be to attend the Council during its sitting; to execute the commands of the Council from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the President, Mayor, or Police Judge.

358. RULE XXXIII.—Standing committees shall be appointed by the Mayor from the Councilmen, at the beginning of each municipal year, as follows:

COMMITTEES.

1. Judiciary.
2. Finance.
3. Claims and accounts.
4. Sidewalks and bridges.
5. Streets and grades.
6. Lighting streets and public buildings.
7. Printing.
8. Police.
9. Fire department.
10. Water-works.
11. Paving, curbs, and gutters.
12. Sewers.
13. Unliquidated claims.
14. Additions and subdivisions to the city.
15. Taxation and license.
16. Rules, privileges, and elections.
17. Board of health.
18. City property.
19. Viaducts.

359. RULE XXXIV.—The Council may at any time go into a secret session by a vote of two-thirds of those present in favor thereof, at which session only those subjects shall be con-

sidered, mentioned in the motion for the session, and no ordinances shall be passed or claims allowed thereat.

360. RULE XXXV.—The several standing committees of the Council, and select committees, shall have leave to report by bill or otherwise, and shall in all cases report in writing the state of facts, their opinions or recommendations thereon.

361. RULE XXXVI.—All questions or orders shall be noted by the Clerk, with the decision, and put together at the end of the journal of every session.

OF BILLS.

362. RULE XXXVII.—Every ordinance shall receive three several readings of the Council previous to its passage, and bills shall be dispatched in order as they were introduced, unless where the Council shall direct otherwise; but no bill shall be twice read on the same day without the special order of the Council, except as provided in Rule XLVIII and Rule XLIII.

363. RULE XXXVIII.—The first reading of the bill shall be for information; and if opposition be made to it, the question shall be, "Shall the bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

364. RULE XXXIX.—Upon the second reading of a bill, the Mayor shall state it as ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee, or to a committee of the whole Council; if to a committee of the whole Council, the Council shall determine on what day; and if it be not ordered engrossed on the day of its being reported, it shall be placed in the general file on the President's table, to be taken up in its order. But if the bill be ordered to be engrossed, the Council shall appoint the day when it shall be read the third time.

365. RULE XL.—After commitment and report thereof to the Council, at any time before its passage, a bill may be recommitted.

366. RULE XLI.—All bills ordered to be engrossed shall be executed in a fair round hand.

367. RULE XLII.—When a bill shall pass, it shall be certified by the Clerk, noting the passage at the foot thereof.

368. RULE XLIII.—No standing rule or order of the Council shall be rescinded, changed, or suspended, except by a vote of at least two-thirds of the members elect, excepting in the case of a vacancy caused by death, protracted sickness, or absence from the state, of a Councilman, when a majority will be sufficient. Nor shall the order of business, as established by the rules of the Council, be postponed or changed, except by a vote of at least two-thirds of the members elect.

369. RULE XLIV.—It shall be in order for the committee on engrossed bills to report at any time.

370. RULE XLV.—No bill or question which has once been passed or rejected shall be called up for consideration during the same session, unless two-thirds of the Council shall be in favor of taking up the same.

371. RULE XLVI.—No amendment by way of rider shall be received to any ordinance on its third reading, but any ordinance may be amended by a majority vote before it is read for its final passage.

372. RULE XLVII.—All resolutions involving the expenditure of money shall be referred to an appropriate committee, unless otherwise ordered by the Council.

373. RULE XLVIII.—Upon the passage of all ordinances appropriating money, the ayes and nays shall be entered on the record of the City Council, and a majority of all the Councilmen elect shall be necessary to their passage. All such ordinances may be passed at the same meeting of the introduction thereof, unless one or more members object; and after such objection, the ordinance under consideration shall be acted upon as other ordinances, unless the rules are suspended by a vote of three-fourths of the Councilmen present.

374. RULE XLIX.—The rules of parliamentary practice comprised in Cushing's Manual shall govern the Council in all

cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Council.

375. RULE L.—The Mayor or any Councilman persisting in violation of any of the foregoing rules, shall be subject to a fine of not less than one nor more than five dollars for each offense, which sum shall be charged to the person fined, and be deducted from his compensation, unless excused by a vote of the Council, and the fine remitted.

376. RULE LI.—The regular weekly meeting of the City Council shall be called to order at 7 o'clock P. M., each Monday, from October 1st to April 1st, and thereafter at 7:30 o'clock P. M., Monday.

377. RULE LII.—All unpassed ordinances now on file with the City Clerk, and all ordinances hereafter introduced, shall be numbered by said clerk in the order in which they are filed; and all unpassed ordinances shall be known as belonging to the General File, and each ordinance shall state by what Councilman it was introduced; and that said Clerk shall, in a separate book to be kept by him, keep a brief synopsis of each ordinance by its number, and of its readings, amendments, and other action of the Council thereon, giving dates of such action; and such book shall be accessible to the Mayor, Council, city officers, and the public.

ARTICLE II.

The City Clerk.

378. § 1. The City Clerk shall keep his office at such place in the city as may be provided by the City Council. He shall keep his office open every day, Sundays and legal holidays excepted, at all times between the hours of 9 o'clock A. M. and 4 o'clock P. M., except during the time between 12 M. and 1 P. M. He shall, in addition to the duties imposed by general law, perform such duties as may be imposed by ordinance, including the following.

379. § 2. He shall, after being duly qualified and sworn,

take possession of all books, papers, and all other property of the nature of records belonging to the city and to his office, and shall keep the same in some safe and convenient place, liable to the inspection of any member of the Council within his office hours.

380. § 3. The City Clerk shall attend the meetings of the Council, shall keep a correct record of the meetings of said Council, together with all claims against the city that may be filed in his office, and when said claims have been duly allowed by said Council, he shall draw orders on the Treasurer for the same, taking receipt therefor, and shall make a statement at the first meeting in each month of the amount of such orders issued, as well as receipts for license; he shall draw all licenses that may be ordered by the Council and by the ordinances, and make a record of each and all licenses so issued by him. He shall not be entitled to any fee for any license issued.

381. § 4. The City Clerk shall permit no records, public papers, or other documents of the city, kept and preserved in his office, to be taken therefrom, except by such officers of the city as may be entitled to the use of the same, and then only upon their leaving a receipt therefor.

382. § 5. The City Clerk shall prepare all commissions of officers which the Mayor is required to sign, and countersign the same, and affix the seal of the city thereto. He shall keep a complete record of all commissions issued, and of the official oaths and bonds of all city officers.

383. § 6. The City Clerk shall procure at the expense of the city, a blank book, properly indexed, in which he shall keep printed copies of all ordinances of the city hereafter passed, with the printer's certificate of publication thereto attached, and he shall index the same under their respective heads or titles; and he shall also copy all ordinances passed by the Council and approved by the Mayor in a book kept for that purpose.

384. § 7. The City Clerk shall also procure a blank book with proper index in which he shall keep a copy of all notices required to be published or posted by said Clerk by order of the

Council or under the general ordinances of the city, to which notices shall be attached in said book the printer's affidavit of publication, in case such notices are required to be published, or the Clerk's certificate under the seal of the city in cases where the same are required to be posted only, which certificate shall show that such notice is a true copy of the notices so posted by him, the number so posted, and the date of posting the same, and whether done by special order of the Council, giving the date thereof, or by general ordinance.

385. § 8. The City Clerk shall also procure a blank book with proper index in which he shall keep a record of all licenses issued by him under the ordinances of said city, showing the date of the issuing of the same, to whom issued, the time for which the same are issued, and the amount paid to the Treasurer for the same ; and the entries therein shall be competent proof of the fact and sufficient evidence thereof.

386. § 9. The City Clerk shall procure a blank book with proper index in which he shall keep a record of all building permits issued by the Council, showing the date of issuing the same, to whom issued, and the amount paid for the same.

387. § 10. The City Clerk shall keep in a suitable book a record of all petitions under which the Council shall order public work to be done at the expense of the property fronting thereon, together with all resolutions and ordinances relating to the same.

388. § 11. The City Clerk shall, without unnecessary delay, deliver to the officers of the city, and to all committees of the City Council, all resolutions and communications referred to those officers or committees by that body. He shall also, in the same manner, deliver to the Mayor all ordinances or resolutions under his charge which may require to be approved or otherwise acted upon by the Mayor, with all papers upon which the same were founded.

389. § 12. The City Clerk shall furnish certified copies of all ordinances hereafter passed by the Council, and shall preserve the original in his office. He shall not be obliged to furnish

written copies of ordinances or other papers for the use of any city officer or other person, except upon the order of the Council, but he shall, upon request of any city officer, without charge, attest any copy of any paper, document, or record, presented to him, and affix the seal of the city thereto. He shall be entitled to receive fifty cents for every certificate, with seal affixed, made for individual use, and shall be allowed to charge at the rate of ten cents per hundred words for copying all ordinances, papers, records, or Council proceedings, desired for individual use, to be paid by the party ordering the same.

390. § 13. The Clerk shall endorse the date of filing, together with an abstract of its contents, upon every paper or document filed in his office. And all books and records kept by him shall be fully and properly indexed.

391. § 14. The City Clerk shall be custodian of the corporate seal of the city of Lincoln, and shall affix the same to all documents requiring the same.

392. § 15. The City Clerk may, when authorized by resolution of the Council, appoint a deputy, who, in the absence of the Clerk, in case of sickness or otherwise, shall be empowered to perform all the duties of the City Clerk: *Provided*, Such deputy shall be a person satisfactory to the Mayor and a majority of the Council.

CHAPTER IV.

DEPARTMENT OF FINANCE.

ARTICLE I.

The City Treasurer.

393. § 1. It shall be the duty of the City Treasurer, in addition to the duties imposed upon him by the general laws of the state of Nebraska, to keep books of account, in such manner as

to show with entire accuracy, all moneys received by him, and from whom, and on what account they have been received; and of all moneys paid out by him, and on what account they shall have been paid; and in such manner that said books may be readily understood and investigated; which books, and all papers and files of said office, shall be at all times open to the examination of the Mayor, the Finance Committee, or any member of the Council.

394. § 2. The City Treasurer shall open and keep a separate account with each fund for which the City Council levy taxes or assessments, and the debits and credits belonging thereto.

395. § 3. The City Treasurer shall cancel all bonds, coupons, warrants, and other evidences of debt against the city, whenever paid by him, by writing or stamping across the face thereof, "Paid by the City Treasurer," with the date of payment written or stamped thereon.

396. § 4. The City Treasurer shall deliver receipts of all moneys paid to him for taxes, special assessments, licenses, and money required to be paid to him by other city officers or employes, specifying when and by whom paid and on what account. And he shall promptly report to the Council any officer authorized to receive money who may fail to make a return of the moneys received by him at the time required by law or by the ordinances of the city.

397. § 5. In addition to the annual report required by law of him, the City Treasurer, during the first week of each month, shall make a detailed report to the City Council of the business of his office during the preceding month, showing the balance on hand to the credit of the different funds at the time of his last report, the amounts received during the month and on what account, the amounts disbursed during the month and on what account, with the balance on hand to the credit of the different funds, together with such other items and facts as the Council may require.

398. § 6. The City Treasurer shall, on the last business day of each month, turn over to the City Clerk all the canceled in-

debtedness and vouchers of every nature received by him during the month, taking the Clerk's receipt therefor.

399. § 7. The City Treasurer may appoint a deputy, and shall be liable upon his bond for the acts of such deputy. Said deputy shall be a practical book-keeper, and competent to perform the duties of the office in case of sickness or absence of the Treasurer.

CHAPTER V.

JUDICIAL DEPARTMENT.

ARTICLE I.

The Police Judge and Court.

400. § 1. The Police judge shall have jurisdiction over, and it shall be his duty to hear and determine all offenses against the ordinances of the city, and he shall perform such other duties as are imposed by general law.

401. § 2. The Police Judge shall attend at the place of holding court at 9 o'clock A. M. of each day, Sundays excepted, and shall open and hold his court until all cases for the day are disposed of.

402. § 3. The proceedings of the Police Court shall be conducted in an orderly manner, and the Police Judge shall not permit any minor to loiter in or about said court-room.

403. § 4. In all cases where a complaint is filed with the Police Judge for the violation of any ordinance, the Police Judge may require the complainant, before any warrant is issued upon such complaint, to deposit with him money sufficient to pay the probable costs, not to exceed twenty-five dollars, in the trial or

proceedings had on such complaint. And in case such complaint should not be sustained, then the complainant shall pay the costs from the money deposited, if not otherwise paid; *Provided*, That no security of any nature shall be required upon any complaint made by any officer of the city.

404. § 5. In all criminal cases in the Police Court, the Police Judge shall be entitled to receive for his services the same fees as are allowed by statute to Justice of the Peace for similar services. Witnesses shall receive the sum of fifty cents for each day's attendance. The Police Judge shall also tax as part of the costs the following fees for the services of police officers: For each arrest, \$1.00; for serving search warrant, \$1.00; arresting under search warrant, \$1.00 for each person arrested; serving subpoena, for each person served, twenty-five cents; committing prisoner, fifty cents; for attendance upon court, \$1.00; jail fee, fifty cents; use of patrol wagon, \$1.00.

405. § 6. The fees collected by the Police Judge for his own services, and all witness fees, shall be disposed of in manner as directed in the act incorporating the city of Lincoln. All other fees and costs collected shall be paid into the city treasury by the Police Judge, from time to time, as the same are collected, and it shall be the duty of the City Treasurer to keep said moneys in a separate fund, to be known as a "Special Police Fund;" and during the first week of each month he shall report to the City Clerk the amount on hand in said fund on the first day of said month, and said money shall then be applied in equal parts toward the payment of the salaries of the Marshal and regular policemen of said city for the last preceding month. Any deficiency in the monthly salary of said Chief of Police and policemen to be paid out of the city treasury, as heretofore.

CHAPTER VI.

DEPARTMENT OF PUBLIC WORKS.

ARTICLE I.—The Board of Public Works.

II.—The City Engineer.

III.—The Street Commissioner.

IV.—The Sidewalk Inspector.

V.—The Sewer Inspector.

ARTICLE I.

The Board of Public Works.

406. § 1. The Board of Public Works, when directed by the Mayor and Council, shall, in addition to the duties imposed by general law, perform such duties as may be imposed by ordinance, including the following:

407. § 2. It shall be the duty of the Board of Public Works of the City of Lincoln to make contracts on behalf of said city for the performance of all such works and the erection of all such improvements when so ordered by the Mayor and Council, but only with the approval of the Mayor and Council; to superintend the performance of all contracts and the construction and erection of all such improvements; to approve the estimates of the City Engineer, which may be made from time to time, of the value of work as the same may progress; to accept any work done or improvements made when the same shall be fully completed according to contract, subject, however, to the approval of the Mayor and Council; and to perform such duties not herein prescribed as may hereafter be devolved upon them by ordinance. Every contract shall contain such stipulations as shall require the contractor to erect and maintain good and sufficient guards, barricades, and signals, at all unsafe places at or

near where the work or improvement contemplated by the contract is to be done or made, also such stipulations as will render the contractor and his bondsmen in every case liable over to the city for any liability that it may incur for any injury that any person may suffer by reason of the failure to erect and maintain such good and sufficient barricades, guards, or signals. Every contract shall also contain a provision that in case any injury to any person shall arise by reason of the failure to erect and maintain such barricades, guards, and signals, or by reason of any negligence of the contractor, his agents, or employes, during the performance of the contract or before the warrants to become due on the contract shall have been delivered, the city and its officials may withhold such payment so long as shall seem necessary for the indemnity of the city. Such contracts shall also contain a provision that when the contractor shall remove any earth from any street, alley, or other public place, the same shall when replaced be solidly tamped.

408. § 3. Such contracts shall also contain a stipulation requiring every such contractor to file with the City Clerk receipts for the cost of all labor and material used in such work or improvement, and providing that the final estimate for such work shall not be paid until such receipts are filed. The bond required from such contractors shall bind the sureties therein to pay all claims for labor and material furnished in the performance of such work or improvement. And the said board shall make such further rules and regulations in the said city's behalf as will insure full protection to the city from loss or liability that may arise by reason of the carelessness or negligence of such contractors, their agents, or servants.

409. § 5. It shall be the duty of the Board of Public Works, in connection with the City Engineer, to supervise and prepare all specifications for sewer work, when necessary to be let by contract, and to advertise for the same for a period not less than ten days, said advertisement to be inserted in the official daily paper of the city for the period specified, and in such other additional journals as may be deemed by them expedient, and as the

Council may especially order. The board shall procure and keep a special book to be termed "book of specifications," in which shall be entered full and complete specifications of all details of work to be contracted and advertised for, and also printed copies of all advertisements pertaining to the same, from each newspaper or journal in which advertisement shall have been inserted, with the dates when each advertisement was published, together with the cost of the same. The board shall keep a book of board proceedings, in which shall be entered in detail full and complete minutes of all the transactions of said board at general and special meetings.

410. § 6. The Board of Public Works shall meet regularly on the evening of the first and third Saturdays of each month at 7:30 o'clock, and at such additional periods as may be deemed necessary by the chairman of the board. Providing that at least one day's notice of such special meetings be given to the members thereof. All regular meetings and all such special meetings of the board, when bids for public works are to be considered, shall be open to the public. Two members, one of whom must be chairman or temporary chairman, as hereinafter provided for, shall constitute a quorum to transact business, and the chairman of the board shall be empowered, and to that end he may call upon the Chief of Police or his deputies, to enforce attendance of members at the meetings, excepting in case of sickness. Votes upon all questions coming before the board shall be recorded, specifically giving the name of those voting, and how the votes were cast.

411. § 7. All contracts for grading, paving, repaving, macadamizing, or guttering, of any street, avenue, or alley, or any part thereof, in the city, for which a special tax shall be levied, shall be done by contract to the lowest responsible bidder, to be determined by the Mayor and Council. The right to reject any and all bids shall be reserved in all cases. Good and sufficient bonds shall be required of all contractors, to be approved by the Mayor and Council. All monthly or other estimates of the City Engineer based upon contract work to be done under the super-

vision of the board, shall be duly certified by such Engineer before the same shall be embraced in any appropriation ordinance.

412. § 8. The Board of Public Works shall also keep a book termed a contract book, in which all contracts shall be entered in full and signed by the contracting parties. The books in this ordinance provided for, shall be regarded as public records, and shall be open to the inspection of any officer of the city, and the board shall keep such other books as may be necessary to constitute a complete record of all business to be transacted by said board or its members. The chairman of the board, unless specially provided by the council, shall keep all the minutes of the proceedings of the board, and make and keep all the other records required by said board. He shall keep regular office hours, to be specified on a notice duly attached to the door of the office of the board.

413. § 9. In case of sickness or prolonged absence from the city of the chairman of the Board of Public Works, the Mayor, with the approval of the council, shall designate one of the two remaining members to act as temporary chairman, who shall draw the pay and have the same power and perform all the duties of the regular chairman during such sickness or absence, which pay shall be withheld from the chairman for said purpose. The chairman of the board shall not be absent from the city without a special permit from the Council. Any absence in violation of these regulations shall be considered a just cause for dismissal from said board.

414. § 10. No member of the Board of Public Works shall ever be, directly or indirectly, interested in any contract entered into by them on behalf of said city, nor shall they, or either of them, be interested, either directly or indirectly, in the purchase of any material to be used or applied in or about the performance of any such contract or any work of improvement of said city. The chairman shall devote his entire time to the performance of his official duties, and shall give to the performance of all contracts, and the erection and construction of all improvements contemplated by this ordinance, his personal supervision.

415. § 11. No member of such board shall accept any other public office created by law. So to do shall be deemed a resignation of his said office.

416. § 12. The Board of Public Works shall have authority to employ competent inspectors upon all works under its charge, and to supervise the same: *Provided*, the employment of all inspectors shall be subject to the approval of the Council. The Board of Public Works shall keep an accurate record of the names of all such inspectors and the time and place of employment, and shall make written reports to the Council at each regular meeting thereof of all of such inspectors, with the place of employment, length of service, and amount paid each of said inspectors. The cost of such inspection shall be charged to the improvement upon which the same is rendered, and paid out of the levies therefor.

ARTICLE II.

The City Engineer.

417. § 1. The City Engineer shall, in addition to the duties imposed by statute, perform such other duties as may be imposed by ordinance.

418. § 2. The City Engineer shall keep his office in the rooms provided by the City Council, which shall be kept open during the usual business hours. He shall have charge of all the engineering and surveying instruments belonging to the city, and of all public maps, charts, draughts, plans, profiles, surveys, books, and papers pertaining to his office, and shall cause the same to be properly recorded in suitable books to be provided at the expense of the city, which, together with the field notes of all surveys, shall be carefully preserved in the Engineer's office as the property of the city.

419. § 3. The City Engineer shall make surveys of all streets, sidewalks, alleys, lanes, market-spaces, public grounds, sewers, and drains of the city, calculate and ascertain the grade-

lines and levels thereof, and execute and record such plans, charts, profiles, draughts, estimates, and calculations, as shall be necessary for a complete record and history thereof, and of the changes and improvements made therein from time to time. He shall make such surveys, plans, draughts, and estimates of public works and improvements as may be required of him by the City Council, or any committee thereof, or by the Mayor, or City Attorney, for prosecuting or defending any action in which the city is interested.

420. § 4. The City Engineer shall report to the Council all intrusions over the line of any street, alley, or public ground, by buildings, fences, or otherwise, which shall come to his knowledge. He shall superintend and direct the location of scales in the streets of the city.

421. § 5. The City Engineer shall supervise any and all improvements, excavations of the streets or other public grounds of the city for water, gas, or sewer pipes, or other purposes, unless the Mayor and Council shall otherwise direct; shall see that streets are not unduly obstructed by persons performing work therein; shall see that proper barricades and guards and signals at all such places are put up and maintained by the contractors, owners, or persons doing such work; shall see that all earth, paving material, or other material, removed from the streets and alleys by any person for any of the above purposes are properly replaed, and that earth so removed is solidly tamped where replaced, and left in as good condition as it was before the same was removed. He shall issue permits for making excavations in the paved streets and alleys of the city; shall see that when paving material is removed the same is kept properly separated from the soil, and that all deficiencies in such paving material are made good when the paving is replaced; shall cause the paving to be replaced, and shall see that all the surplus material is taken off the streets by the person holding the permit.

422. § 6. The City Engineer shall preserve in his office all maps, plats, profiles, and surveys of the city, and all plans and specifications of any work or improvement constructed by the

city, together with the books, papers, and letters relating thereto. He shall furnish the Council, from time to time, with such reports as they may desire.

ARTICLE III.

The Street Commissioner.

423. § 1. The Street Commissioner shall, subject to the orders of the Mayor and Council, have the care, supervision, and control of all public highways, avenues, streets, lanes, alleys, bridges, and culverts, of the city, and clean and keep the same open and in repair and proper order and free from nuisance, and shall remove all obstructions therefrom on view or on complaint of any person.

424. § 2. The Street Commissioner shall also see that the respective railroads keep their crossings well planked and in good repair and safe condition, and shall see that the various streets railroad tracks are not elevated above the surface of the street on which laid, and that the same are kept so that vehicles can easily and freely cross said tracks at all points in any direction without obstruction.

425. § 3. He shall employ such assistance as the Council may authorize by resolution, and shall keep in a book, to be provided for that purpose, a correct record of the names of each and every person employed by him to perform any work or services for the city, and the amount to be paid each person for such services. He shall report to the Council at each regular meeting a pay-roll duly certified by him, containing the names of all persons employed by him to work for the city, the time, nature, and place, of such services, and the amount due each person on account thereof, and shall perform such other and further duties as may be required by ordinance or resolution of the Council.

426. § 4. In case any person shall be injured by reason of a defect in any street, avenue, alley, or bridge, the Street Commissioner, immediately upon learning of the same, shall make a

careful examination of the place of said defect, and carefully note the condition of the street, avenue, or alley, at such point; shall procure the names of witnesses and report the same in writing to the City Attorney, with all information he can obtain regarding the time, nature, cause, and extent of the injury.

427. § 5. In case of vacancy in the office of Sidewalk Inspector, the Street Commissioner, or Assistant Street Commissioner, shall perform the duties of that office in addition to the duties imposed by this article.

ARTICLE IV.

The Assistant Street Commissioner or Sidewalk Inspector.

428. § 1. The Assistant Street Commissioner or Inspector of Sidewalks shall have general supervision of all sidewalks and street crossings in the city, under the direction of the Mayor and Council and of the Committee on Sidewalks and Bridges, and it shall be his duty to see that the sidewalks and street crossings are kept in good repair, and enforce the provisions of the ordinances of the city relating to sidewalks and crossings.

429. § 2. The Assistant Street Commissioner or Inspector of Sidewalks shall serve all notices to lay sidewalks and make repairs therein authorized by the Council, and shall make a sworn return to the Council of the manner and date of such service. He shall keep, in a suitable book, an accurate record of all notices and orders served by him, with the time and manner of such service, and shall keep a careful and accurate account of all work done by him, with the cost and expense thereof, and shall make written report to the Mayor and Council at every regular meeting of all his official acts during the preceding week, together with an accurate statement of the expense of all work done by him.

430. § 3. In case any person shall be injured by reason of a defect in any sidewalk or street crossing, the Assistant Street Commissioner or Sidewalk Inspector, immediately upon hearing

of the same, shall make careful examination of the place of said defect and carefully note the condition of the sidewalk or street crossing, shall procure the names of witnesses and report the same in writing to the City Attorney, with all information he can obtain regarding the time, nature, cause, and extent, of the injury.

431. § 4. In case of vacancy in the office of Assistant Street Commissioner or Sidewalk Inspector, the duties herein prescribed shall be performed by the Street Commissioner.

ARTICLE V.

The Sewer Inspector.

432. § 1. There is hereby created and established the office of Sewer Inspector, but no appointment shall be made until the Mayor and Council shall, by resolution, so direct, and until such appointment is so made the duties herein prescribed shall wholly devolve on the City Engineer.

433. § 2. The Sewer Inspector shall act under the direction of the City Engineer, and shall, subject to his orders, have general charge and supervision of the public sewers of the city. He shall see that the same are properly flushed out and kept clean and in good repair and free from obstruction.

434. § 3. He shall supervise all repairs of sewers, and when connections are to be made with the same, shall see that the work is properly and carefully done, and according to ordinance; that all excavations made for such purpose are properly refilled and tamped, and when paving is removed, that the same is preserved and kept free and clear of earth; and he shall perform such other duties as the Council may impose.

CHAPTER VII.

DEPARTMENT OF LAW.

ARTICLE I.—The City Attorney.

II.—Deputy City Attorney.

ARTICLE I.

The City Attorney.

444. § 1. The City Attorney shall be the legal adviser of the Council and city officers. He shall commence, prosecute, and defend, suits and actions commenced, prosecuted, or defended, on behalf of the corporation; shall attend all meetings of the Council, and give them his opinion upon any matter submitted to him, either orally or in writing, as may be required.

445. § 2. He shall draw such ordinances as may be required of him by the City Council, or by any committee thereof. He shall draw the leases, deeds, and other papers, connected with the finance department, and all contracts for any of the other departments of the city, when so required by the Council.

446. § 3. When requested so to do by the Mayor, Police Judge, or Chief of Police, he shall appear in the Police Court and prosecute complaints for offenses against the city ordinances, but he shall not be required to prosecute such actions unless the same are instituted upon complaint of some city officer.

447. § 4. He shall keep in proper books, to be provided for that purpose at the expense of the city, a register of all actions in courts of record prosecuted or defended, in which the city may be a party, and all proceedings had therein, and which shall at all times be open to the inspection of the Mayor or any committee of the City Council.

448. § 5. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, he shall forthwith, on demand, deliver to his successor in office all deeds, leases, contracts, and other papers in his hands belonging to the corporation, or delivered to him by the city, or any of its officers, and all papers in actions prosecuted or defended by him, then pending and undetermined, together with his register thereof, and of the proceedings therein.

449. § 6. He shall annually, on or before the first day of April in each year, report in writing to the City Council a statement of all suits instituted and pending in the courts of record in which the city of Lincoln is plaintiff or defendant, in which report shall be stated the names of all defendants and plaintiffs, the nature of the actions, the date of the commencement, and the several steps that may have been taken in court during his term of office, to bring such suits to final issue, to be accompanied with such explanatory remarks as said attorney may see fit to append, to the end that the Council may be kept more fully advised as to the legal affairs of the city.

450. § 7. He shall perform such other duties as may be imposed upon him by general law or by ordinances of the city.

ARTICLE II.

Deputy City Attorney.

451. § 1. The office of Deputy City Attorney of the city of Lincoln is hereby created, and the Mayor, by and with the assent of the Council, is hereby authorized and directed to appoint a competent practicing attorney residing in said city to said office; *Provided*, That no one shall be appointed or competent to hold the office except on the recommendation of the City Attorney. The duties of the Deputy City Attorney shall be the same as those of the City Attorney, and shall be performed subject to his orders. The Deputy City Attorney shall give bond for the faithful performance of his duties in the same amount and upon the

same conditions as required of the City Attorney, and shall hold his office during the will of the City Attorney, unless sooner removed by a majority vote of the City Council present.

452. § 2. The salary of the Deputy City Attorney shall be nine hundred (900) dollars per year.

CHAPTER VIII.

DEPARTMENT OF HEALTH.

ARTICLE I.—The Board of Health.

II.—The Health Officer.

III.—The City Physician.

ARTICLE I.

The Board of Health.

453. § 1. That a Board of Health for the city of Lincoln be and the same is hereby created and established. Said board shall consist of the Mayor, the Health Officer, City Marshal, and two members of the City Council, to be selected by the Mayor. The Mayor shall be chairman, and the Health Officer clerk, of said board. A majority of the board shall constitute a quorum, and meetings shall be held in the Council chamber whenever deemed necessary by the chairman or any two members. The jurisdiction of said board for the purposes mentioned in this chapter shall extend to and include all places within the city and within five miles of the limits of the city.

454. § 2. The Board of Health shall have and exercise a general supervision over the sanitary condition of the city, and have power to take effective means to prevent the introduction into the city or spread of any infectious, contagious, and dangerous diseases, and for that purpose shall have power to stop, de-

tain, and examine every person coming from any place infected, or believed to be infected, with any such disease; to cause any person not a resident of the city, infected or believed to be infected, with any such disease, to be sent to the pest-house, upon the certificate of the Health Officer or Health Physician; to cause any resident of the city, infected with any such disease, to be removed to the pest-house, or some other place, if the Health Officer or Health Physician shall certify that such removal is necessary for the preservation of the public health. Nothing herein contained shall be construed to abridge in any manner the right of every citizen to be attended by his own physician or to remain in his own house while sick with any disease herein referred to, provided the public health is not affected or endangered thereby. In case of severe visitation of any such disease, the board shall have power to provide hospitals and pest-houses, and make proper provisions for the suitable care of the sick, and shall have authority to exercise any and all power incident to the preservation of the good health of the city in such cases; to remove from the city or destroy furniture, wearing apparel, or other property infected with any such disease, and to cleanse infected or unwholesome buildings and places.

455. § 3. In case of pestilential, epidemic, infectious, contagious, and dangerous diseases, the Board of Health shall have power to employ and appoint a Health Physician, and prescribe his duties.

456. § 4. When any person infected with any infectious, contagious, and dangerous disease, has not been removed to the pest-house as provided herein, the Board of Health is hereby authorized to guard against the spread of such disease by establishing limits within which no person shall enter except those necessary in attendance upon such person, or upon the order of the board, and by adopting any other means which may to them seem advisable. It shall be the further duty of the Board of Health to cause a notice, printed or written in large letters, to be placed upon or near any house in which any person may be affected or sick with any such disease, upon which shall be writ-

ten or printed the name of such disease; and any person willfully entering such limits, at such times, contrary to the provisions of this section, or who shall deface, alter, mutilate, destroy, or tear down, or remove, the notice herein named, without permission from the Board of Health, shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

ARTICLE II.

The Health Officer.

457. § 1. As soon as may be after the passage of this ordinance, and annually thereafter, at the beginning of each municipal year, the Mayor shall designate some suitable person, a policeman of the city, who shall be known as the Health Officer, and who shall receive such compensation as may be allowed by the City Council, not less than his salary as policeman.

458. § 2. The Health Officer shall be the executive officer of the Board of Health, and it shall be his duty to carry out and enforce all existing laws and ordinances having for their object the preservation of life and the prevention of disease and the abatement and removal of nuisances; he shall make and keep in proper form the minutes of the meetings and proceedings of the board, attend to receiving returns of deaths and the issuing of burial permits, and the registration of births and deaths and interments; shall attend to complaints of nuisances and orders relating thereto, and perform such other services as the Council may impose by ordinance or the Board of Health lawfully require of him.

459. § 3. The Health Officer shall provide the necessary books for keeping a record of all transactions of the health department, including the proper registration of births and deaths, and other statistical information necessary for the efficient working of said department; and he shall also prepare and keep on hand all necessary blanks, to be used by physicians and midwives, and furnish them with the same on application,

460. § 4. The Health Officer shall make a monthly report of his transactions to the City Council, together with such suggestions as experience may dictate, as calculated to promote the general sanitary condition of the city.

ARTICLE III.

The City Physician.

461. § 1. There is hereby created and established the office of City Physician, who shall exercise a general supervision over the sanitary condition of the city, and shall report to the Board of Health all nuisances, the presence of any epidemic, contagious, or infectious disease, or other causes, which in his opinion are likely to be detrimental to the general health. Said City Physician shall be a member *ex-officio* of the Board of Health: *Provided, however,* That he shall not exercise any powers or perform any duty as such member beyond giving information to and advising and consulting with the Health Officer, when so requested, upon subjects pertaining to the sanitary condition of the city.

462. § 2. The City Physician, when notified thereof, shall examine into all nuisances, sources of filth, and causes of sickness, and upon being informed of the existence or introduction of any contagious or infectious disease within the city, shall inquire immediately into the facts and report the same to the Board of Health, and see that the orders of said board are obeyed as far as practicable.

463. § 3. He shall, when directed by the Board of Health, superintend the small-pox, cholera, and other city hospitals, and administer to all persons conveyed there who have no other physician, or who are unable to employ one; shall attend and administer to such other indigent persons as he may be directed to by the Mayor, and shall visit and administer to prisoners sick in the city work-house or city jail.

464. § 4. He shall attend the meetings of the Board of Health

when requested so to do by the Mayor, and report to said board all cases where any sick person has not been properly attended to, and all other matters which he may deem important, and give such information as said board may desire in relation to the sanitary condition or regulations of the city, so far as he may be able to do so. He shall make a monthly report of his transactions to the City Council, together with such suggestions as experience may point out as calculated to promote the general sanitary condition of the city, and perform such other duties as the Council shall hereafter prescribe by ordinance.

CHAPTER IX.

DEPARTMENT OF POLICE.

ARTICLE I.—The City Marshal.

II.—Special Provisions.

ARTICLE I.

Chief of Police.

465. § 1. The Police Department of the city of Lincoln shall consist of the Chief of Police, such officers as the Excise Board may direct, and such number of police patrolmen as may be necessary, and all members of the Fire Department during time of fire or public danger.

466. § 2. The Chief of Police shall, subject to the direction of the Excise Board, have control and management of all matters relating to the Police Department, its officers and members, and shall have the care, custody, and control, of all firearms and military equipments, books, and records, belonging to the department.

467. § 3. He shall devote his whole time to the municipal affairs of the city of Lincoln, to preserve the peace, order, safety, and cleanliness thereof, and to this end he shall execute and enforce all ordinances and the orders of the Mayor and Excise Board.

468. § 4. He shall be charged with the duty of protecting the rights of persons and property, and providing a proper police force at every fire. He shall take notice of all nuisances, impediments, obstructions, and defects, in the streets, avenues, alleys, and public places, of the city, and shall remove the same, or cause immediate notice thereof to be given to the proper officers.

469. § 5. He shall from time to time divide the city into suitable beats, and shall fix the hours at which regular policemen shall enter upon and retire from duty; and, subject to the approval of the Excise Board, establish rules and regulations for governing the police force.

470. § 6. During the pending of charges against any police officer, he may suspend such officer until such charges can be examined.

471. § 7. The Chief of Police shall cause to be kept books of record of the police force, or persons arrested for offenses; of time lost by patrolmen; of accounts of moneys received and expended, and for what purpose; of suspected persons and places, and of all property placed in his charge, and such other books and records as shall be required by the business of the department.

472. § 8. The Marshal shall prepare and submit to the City Clerk, on or before the first week in August of each year, an estimate of the whole cost and expense of providing for and maintaining the Police Department during the next fiscal year, which estimate shall be in detail, and shall be submitted to the Council.

473. § 9. The Marshal shall attend each session of the Police Court, and execute or cause to be executed the processes thereof, and shall cause all persons under arrest to be brought before the Police Judge for trial as speedily as possible.

474. § 10. The Captain of Police shall be designated by the Excise Board, and shall have charge of the police force at night in the absence of the Marshal. He shall also have control and charge of the police station and city jail and prisoners therein at night.

475. § 11. The Sergeant shall be designated by the Excise Board, and shall have charge of the police station, city jail, and the prisoners therein, in the day time.

ARTICLE II.

Special Provisions.

476. § 1. All police officers shall be able to read and write the English language. They shall not use or receive intoxicating drinks at saloons or other places while upon duty, nor become intoxicated; shall not loaf about saloons, houses of ill-fame, or gambling houses, but when called to such places shall dispatch the business in hand in a manner becoming an officer.

477. § 2. It shall be the duty of all police officers to report immediately to the Board of Health, or some member thereof, all violations of the health ordinances of the city, and all cases of infectious or dangerous diseases coming to their notice.

478. § 3. It shall be the duty of all members of the Police Department to aid the Fire Department by giving alarms in case of fire, and in clearing the streets or grounds in the immediate vicinity of the fire, so that the members of the Fire Department shall not be hindered or obstructed in the performance of their duties.

479. § 4. No member of the Police Department shall, for his own benefit, share in any present, fee, or emolument, for police services, additional to his regular salary.

480. § 5. The Mayor, for meritorious services rendered by any member of the police force in the due discharge of his duty, may, unless otherwise ordered by the Excise Board, permit any member of the police force to retain for his own benefit any re-

ward or present tendered him therefor; and it shall be cause of removal for any member of the force to receive any such reward or present without notice thereof to the Mayor and Excise Board.

481. § 6. Every member of the police force shall wear a suitable badge, to be furnished by the city, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it; and whenever any member shall leave the force, he shall immediately deliver his badge to the Marshal.

483. § 8. All regular police officers, when upon duty, shall wear uniforms and badges denoting their occupation and proper number in the roster of the force.

484. § 9. When persons are arrested and lodged in the city jail, it shall be the duty of the police officer making the arrest to search all persons so arrested, in the presence of some other member of the police force, or the officer in charge of the police station, before lodging them in jail. The officer in charge of the police station shall keep an accurate record of all articles so found upon the person of the prisoner, and shall carefully preserve them and produce them before the Police Judge upon the trial.

485. § 10. Any violation of any of the rules and regulations governing the Police Department shall be cause for removal of any officer.

486. § 11. All persons committed to the city jail, being of sufficient physical ability, who shall perform labor for said city while such prisoner, shall for each day's labor so performed, and none other, be credited on the amount of fine and costs for the non-payment of which he stands committed, the sum of one dollar and fifty cents; and when the credits equal the amount of fine and costs, the keeper of said jail shall discharge the prisoner without orders from any other officers of said city, unless held to answer for a separate offense, and shall, as soon as practicable thereafter, return his warrant of commitment to the Police Judge, with his doings indorsed thereon.

487. § 12. In case prisoners committed to the jail of said

city are ordered to work upon the streets of said city, or elsewhere, the said jailer shall deliver them from day to day, together with their warrant of commitment, to the person having charge of the work to be done, and may deputize such person to hold said prisoners at work as in the jail of said city, and any prisoner breaking away from the person in charge of him while at work, or effecting an escape while at work, shall be liable in the same manner as for breaking jail.

488. § 13. In case the said city jail shall be at any time filled with prisoners, or for any reason shall be unfit for use, then the jail of Lancaster county is hereby designated as and shall be used as such city jail, and the Sheriff of Lancaster county is hereby appointed jailer of the city of Lincoln for the said city's prisoners so confined in said county jail, and for the purposes in this section mentioned. The keeper of the jail of said city herein first described, shall indorse the facts on the mittimus in his hands, requiring such use of said county jail, and shall thereupon transfer said prisoners, together with all their warrants of commitment, to the keeper of said county jail, used as the jail of said city, who shall hold all such prisoners for safe keeping in the manner in this article before provided; and in relation to all such prisoners the keeper of said county jail shall be the jailer of the city of Lincoln, and perform all the duties of such jailer as in this article provided.

489. § 14. It is hereby made the duty of every member of the police force to deliver to the Chief of Police every article of property seized or found by them, immediately after the same shall have come into their possession; which property, with the date of delivery and description of the same, shall be entered in a book kept for that purpose. Such property shall be in the custody of the Chief of Police, and he shall be responsible for the same. On the first Tuesday in July and January of each year all property which shall have remained unclaimed in the hands of the Chief of Police for more than three months shall be sold at public auction at police headquarters to the highest bidder. Such sales shall be advertised for one week previous

in the official paper of the city. Any violation of this section by any police officer shall subject him to a fine of not more than fifty dollars.

CHAPTER X.

THE FIRE DEPARTMENT.

ARTICLE I.—Chief of Fire Department.
II.—Special Provisions.

ARTICLE I.

The Fire Department.

490. § 1. The Chief of the Fire Department shall have general charge and direction of the Fire Department.

491. § 2. The Mayor shall appoint all officers and members of the Fire Department, but all members of the department may be removed at the pleasure of the Chief of the Fire Department, for cause.

492. § 3. All members of the Fire Department shall be subject to such rules and regulations, and shall perform such duties, as shall be prescribed or required of them by said Chief of Fire Department or the ordinances of the city. All members of the Fire Department shall, during the time of fire or great public danger, have and exercise the powers and duties of policemen and shall have full power and authority to arrest all persons guilty of any violation of the city ordinances or the statute laws of the state.

493. § 4. The Chief shall have sole and absolute control and command over all persons connected with the Fire Department of the city, and shall possess full power and authority over its organization, government and discipline, and to that end he may prescribe and establish, from time to time, such rules and regula-

tions as he may deem advisable, by and with the consent of the Mayor and Council.

494. § 5. He shall have the custody, subject to the direction of the Mayor and Council, of the engines, hose carts, trucks, ladders, horses, telegraph lines, and all other property and appurtenances belonging to the Fire Department.

495. § 6. He shall inquire into the cause of all fires which may occur in the city, as soon as may be after they occur, and cause to be kept a record of his proceedings and of the evidence in each case, and to file the same, or a copy thereof, in his office.

496. § 7. He shall semi-annually report all accidents by fire that may have taken place in the city during the preceding fiscal year, with the causes thereof, as well as they can be ascertained, and the number of and description of the buildings destroyed and injured, together with the names of the owners or occupants; also the amount of loss, insurance, and property involved.

497. § 8. He shall, when any of the fire engines, hose carts, trucks, and hooks and ladders, or other apparatus, shall require to be repaired, cause the same to be repaired under his direction and supervision, by and with the advice and consent of the Mayor or Fire Committee.

498. § 9. The Chief shall make suitable regulations, under which the officers and men of the department shall be required to wear some appropriate uniform and badge, by which, in case of fires and at other times, the authority and relations of such officers and men in said department may be known, as the exigencies of their duties may require.

499. § 10. During the pending of charges against any member of the department, the Chief may suspend from duty any such member until such charges can be examined by him.

500. § 11. He shall cause to be kept, in books for that purpose, a full and complete record of all transactions in said department, of complaints against members, and the judgment of the Chief thereupon, of the time lost by them, and of all property placed in his charge, and such other books and records as shall be required by the business of the department.

501. § 12. The Chief, or officer in command, shall have power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjoining property.

502. § 13. The Chief may direct the hook and ladder men to cut down and remove any building, erection, or fence, for the purpose of checking the progress of any fire; and the Chief shall have power to blow up or cause to be blown up, with powder or otherwise, any building or erection, during the progress of a fire, for the purpose of extinguishing or checking the same.

503. § 14. The Chief and Assistant Chief shall have power during the time of a fire, and for a period of thirty-six hours after its extinction, to arrest any suspected person, or any person hindering, resisting, conducting himself in a noisy and disorderly manner, or refusing to obey any such officer while acting in the discharge of his duty, and, as soon as their duties in relation to the extinguishment of the fire will permit, take such person before a magistrate to be dealt with according to law.

Said officers shall be severally vested with the usual powers and authority of police officers, to command all persons to assist them in the performance of such duty.

504. § 15. The Chief of the Fire Department shall give bond payable to the city of Lincoln in the sum of two thousand dollars, with at least two good and sufficient sureties, residents of Lancaster county, Nebraska, to be approved by the Mayor and City Council of the city, and said bond shall be conditioned for the faithful and impartial discharge of all his duties as such Chief, and that he will obey all ordinances and rules regulating the Fire Department, and that he will pay all damages, fines, or penalties, that may be adjudged against him under any law of the state of Nebraska, or any ordinance of the city in relation to the Fire Department and that he will turn over to his successor, or to any one designated by the Mayor and Council of said city, any and all property belonging to the Fire Department or the city of Lincoln that may be in his possession or under his control as such Chief.

ARTICLE II.

Special Provisions.

505. § 1. It shall be the duty of all members of the Fire Department to prevent all persons not belonging to the department from entering any house, or handling any apparatus belonging to the department, without permission.

506. § 2. Any member of the Fire Department receiving injury or becoming disabled while in the discharge of his duties so as to prevent him from attending to his duties as such member, shall for the space of twelve months, provided his disability shall last that time, receive one-half his usual salary. The existence of such disability, and its duration, shall be established by the certificate of the City Physician or such other evidence as the Chief, Mayor, and Council, may require.

507. § 3. Each member of the Fire Department shall be furnished with a copy of the rules and regulations by the Chief of the Fire Department, for the government of said department.

508. § 4. Every member of the Fire Department, when on duty, shall wear a suitable badge, furnished by the city, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it; and when any member shall leave the department, he shall immediately deliver his badge, and all other property belonging to the city, to the proper officer.

509. § 5. The Mayor, for meritorious services rendered by any member of the Fire Department in the due discharge of his duty, may permit any member of the said department to retain for his own benefit any reward or present tendered him therefor; and it shall be cause of removal for any such member to receive any reward or present without notice thereof to the Mayor.

510. § 6. No member of the department, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the Chief. Unexplained absence without leave, of any member of the department, for three days, shall be cause for removal and forfeiture of all pay

due; but it may, at the option of the Chief, be deemed and held to be a resignation by such member, and accepted as such.

ARTICLE III.

§ 1. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 2. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE prescribing the duties of certain officers in case of accident or injury to persons or property, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

CHAPTER XIV.

MISCELLANEOUS ORDINANCES.

ARTICLE I.

Accidents.

550. § 1. It shall hereafter be the duty of any policeman in the city of Lincoln to notify the Chief of Police of any accident or injury to persons or property occurring at any time within the bounds of the beat of such policeman, and the notification of such policeman shall be in writing, stating the nature of the accident, the name of the person or the kind of property injured, and the time and place at which the accident occurred.

551. § 2. Immediately upon receiving such information, the Chief of Police shall transmit a copy thereof to the City Attorney, and in case of personal injuries he shall detail a policeman to proceed at once to the place of such accident, and ascertain from all available witnesses, the manner in which the accident occurred and the cause thereof, if possible, and reduce to writing

the names and places of residence of such witnesses; and it shall also be the duty of the City Physician and such policeman to visit the person injured, and ascertain the nature and extent of the injury received, and obtain from said person a statement of the manner and cause of the accident, and if in the opinion of the City Physician it be deemed proper, he shall offer to attend to the injuries of such person free of charge. All information received by the City Physician or such policeman shall be reduced to writing, and immediately transmitted to the City Attorney, who shall preserve the same for reference in case of suit being brought against the city for any such injury or accident.

552. § 3. It shall be the duty of the Chief of Police to notify the City Engineer in writing of the time and location of such accident, and immediately thereupon the City Engineer shall cause the spot or location of such accident to be diagramed or photographed, and obtain the names and statements of witnesses as to the nature and condition of the street, alley, or sidewalk, where such accident occurred, and upon reducing the same to writing, shall transmit the same to the City Attorney, who shall preserve such information in such manner and for the same purpose as required by the preceding section.

The City Clerk and the City Attorney are hereby instructed to prepare blank forms for the reports of the different officers mentioned herein, and to so prepare them as to carry into effect all the terms of this article.

553. § 4. The City Attorney shall have the right to call upon the Chief of Police at any time he may deem proper, to assist in investigating any case or suit against the city, or in any case where suit may, in his opinion, be brought; and it shall be the duty of the Chief of Police to at once investigate such case, in such manner as he shall, by the City Attorney, be directed, and make report from time to time to the City Attorney.

§ 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE providing for laying out additions to the city of Lincoln, regulating the manner in which such additions shall be laid out, prescribing penalties for violations of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE II.

Additions.

554. § 1. Any owner of land who shall hereafter lay out an addition to the city of Lincoln, shall so lay out the streets, avenues, and alleys, of said addition that the same shall correspond in width and direction and be continuous with the streets, avenues, and alleys, of the original town of Lincoln, where said addition would be included in the territory embraced by an extension of said streets. In cases where said addition may be located outside of said territory, the streets, avenues, and alleys of such additions shall run parallel with and conform in width to an extension of the streets, avenues, and alleys, in the said original town of Lincoln.

555. § 2. Any owner of land within the corporate limits of the city of Lincoln, or adjacent thereto, who shall subdivide the same into smaller tracts of not more than three acres, shall lay out streets, avenues, and alleys, in the manner required of owners of additions and set forth in the preceding section.

556. § 3. Any owner desiring to lay out an addition to the city of Lincoln, or subdivide land within or adjacent to said city in a manner otherwise than as required by the two preceding sections, shall submit to the Mayor and Council a plat of the addition or subdivision desired, showing the location of all streets, avenues, and alleys, as desired by the owner to be platted, and also indicate upon the same plat the streets, avenues, and alleys, as they would be under the requirements of the two preceding sections; said plat shall be filed with the City Clerk. The Mayor and Council may, if they deem it for the convenience of the inhabitants of such city and the public, grant to such owner by resolution the right so to plat, or may modify the plat as to them may seem for the public interest.

557. § 4. It shall be unlawful for any person to lay out any addition to the city of Lincoln, or subdivide any tract of land within or adjacent to said city, without complying with all provisions of this ordinance.

558. § 5. It shall be unlawful for any owner or other person to sell or offer for sale any plat or tract of land in any addition to the city of Lincoln or in any subdivision of property within or adjacent to said city hereafter platted, which shall not be laid out and platted in conformity with the provisions of this ordinance.

559. § 6. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined for each offense not less than ten dollars nor more than one hundred dollars, and costs of prosecution, and be committed until such fine and costs are paid.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE providing for the licensing and taxing of theatricals, shows, amusements, and all public exhibitions for gain, fixing the rates of license for different exhibitions, prohibiting mutilation and defacement of advertisements of such exhibitions, regulating the keeping and conduct of places of amusement, prohibiting the sale of liquors therein, providing for special policemen at places of public amusement, prescribing penalties for violations of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE III.

Amusements.

560. § 1. For the purpose of providing for the licensing and taxing of theatricals, shows, amusements, and all public exhibitions for gain, in a just and equitable manner, the same are hereby divided into three classes, which shall be known as the first, second, and third, as follows:

561. 1. All entertainments of a dramatic or operatic character, including public readings and recitations, and exhibitions of

paintings or statuary, shall belong to and be known as entertainments of the first class.

562. 2. Concerts, or other musical entertainments, panoramas, performances of any feats of jugglery, sleight-of-hand, or necromancy, and exhibitions of any natural or artificial curiosities, exhibitions of monsters, or freaks of nature, and variety and minstrel shows, shall belong to and be known as entertainments of the second class.

563. 3. Circuses, menageries, caravans, side-shows, and concert, minstrel, or musical entertainments, given under a covering of canvas, and all other exhibitions, performances and entertainments not herein enumerated, shall belong to and be known as entertainments of the third class.

564. § 2. No person, or persons, within the limits of the city, shall give any of the entertainments mentioned in this chapter, for gain, without a license for that purpose first had and obtained from the Mayor, under the seal of the city, under a penalty of a fine of not less than ten dollars nor more than one hundred dollars for each offense: *Provided*, That for musical parties or concerts, and exhibitions of painting and statuary, given by citizens of this city, not engaged in the giving of such entertainments as a business, no license shall be required.

565. § 3. Each license shall express for what it is granted, and the time it is to continue, and the following tax, or license fee, shall be imposed upon each license granted, as aforesaid, and paid to the City Treasurer on the granting of such license, as follows:

1. For entertainments of the first class, ten dollars for every performance or exhibition.

2. For entertainments of the second class, ten dollars for every performance or exhibition.

3. For entertainments of the third class, the following sums: For each circus, or circus and menagerie, having more than one ring, one hundred dollars per day; each circus, or circus and menagerie, having not more than one ring, and the maximum admission fee exceeds twenty-five cents, fifty dollars for each

day ; for each circus, or circus and menagerie, having not more than one ring, the maximum admission not exceeding twenty-five cents, twenty-five dollars per day ; for each menagerie, twenty-five dollars for each day ; for each side-show with any circus or menagerie, ten dollars for each and every day of exhibition ; for each concert, musical, or minstrel entertainment, given under a covering of canvas, ten dollars for each day ; for each other entertainment of the third class, five dollars per day.

566. § 4. Every license shall be issued by the City Clerk, on notice to him from the City Treasurer that the license tax or fee has been paid, and shall be signed by the Mayor.

567. § 5. The Mayor shall determine in every case, where application for license under this ordinance is made, the class to which the entertainment belongs, and the person or persons to whom the license may be granted shall pay the license tax or fee herein fixed for such license.

568. § 6. The owner or lessee of any hall or theater in which the entertainments are given, as a rule, of a dramatic or operatic character, and the highest admission price exceeds seventy-five cents, shall, on the payment of one hundred dollars to the City Treasurer, or if the highest admission price does not exceed seventy-five cents, then on the payment of fifty dollars to the said Treasurer, have the occupants of his or their hall, or theater, exempted from license for one year.

569. § 7. The owner or lessee of any hall, theater, museum, or other building, in which, as a rule, entertainments of the second class are given, on the payment of one hundred dollars to the City Treasurer, shall have the occupants of his hall or other building exempted from license for one year.

570. § 8. The word "entertainments" used herein, shall be taken to mean and include theatricals, and other exhibitions, shows, and amusements, wherein or whereby any person or persons shall act, play, or perform, any play, opera, or other dramatic or musical composition, or give performances of any kind, or give any show or public exhibition for gain.

571. § 9. Every license granted under the provisions hereof shall at all times be subject to the ordinances of the city existing when the same shall be issued, or which shall thereafter be passed, so far as the same shall apply, and such license shall not be transferable.

572. § 10. All licenses for entertainments, where a license is required, shall contain a proviso that no gaming, raffle, lottery, or chance gift distribution of money or articles of value, shall be connected therewith or allowed by the person obtaining said license, or in any wise permitted or held out as an inducement to visitors, and when any person or persons shall be charged by a credible person with having violated the provisions of his license in this respect, the Mayor is directed to give the parties accused reasonable notice thereof, and inquire into the truth of said charge, and if the accusation be sustained to his satisfaction, he may revoke the license of any such person or persons; and every person so offending shall, in addition, upon conviction, be fined in any sum not exceeding one hundred dollars.

573. § 11. No person or persons shall be allowed to give any concert or entertainment for gain in any licensed saloon, or in any place the entrance of which is through a saloon, within this city; and any person or persons violating this provision shall be fined in any sum not less than ten dollars nor more than one hundred dollars.

574. § 12. The owner or lessee of every licensed theater, hall, or other building, shall post and maintain during the period of his license, in some conspicuous place near the main entrance, a printed certificate, properly framed, showing the class of entertainments for which said theater or hall is licensed; its seating capacity; the number of exits, and size of each; and the number of aisles in each circle, which said certificate shall be signed by the Chief of the Fire Department; and shall also state, if such be the fact, that he has personally examined said building, and considers it safe.

575. § 13. It shall be unlawful for the owner or lessee of any theater, hall, or other building, where public entertainments are

given, to permit any person or persons to use the same for such purpose without the license required by this chapter.

576. § 14. It shall be unlawful for any person or persons to destroy, tear, mutilate, cover over, or otherwise deface or injure, any bill or poster (posted in such places as may be permitted) descriptive of any performance or entertainment given in any licensed theater or hall, or in pursuance of a license given by the city.

577. § 15. It shall be unlawful for any person or persons to sell or give away any spirituous, vinous, malt, or any other intoxicating liquors, in any theater, hall, or other building, in which public entertainments are given for gain.

578. § 16. No chairs, stools, or seats of any description, shall be placed or permitted to remain in or across the lobby, aisles, or passage-ways, in any theater, hall, church, or other public building, when the same is occupied by the public.

579. § 17. All persons owning, leasing, managing, or having charge, of any church, theater, opera house, public hall, or place of amusement, in this city, shall be required to have all doors leading to or from the same hung so as to open out therefrom.

580. § 18. It shall not be lawful for any person or persons to stand in the lobby or outer entrance to any licensed theater, hall or other public building, or on the sidewalk adjacent to and within twenty-five feet of such entrance, after a request to move on, made by the owner, lessee, or any police officer.

581. § 19. It shall be the duty of every owner or lessee of every licensed theater, hall, or other building, to keep and preserve good order in and about his premises, and to that end he shall hire and keep at his own expense a sufficient number of special policemen.

582. § 20. It shall be the duty of all members of the police force to see that the provisions of section 16 are strictly observed, and in case of any violation thereof, forthwith to proceed to clear any obstructed aisle, passage-way, or lobby, and to arrest the offender or offenders.

583. § 21. Any person who shall violate any of the provis-

ions of this article, for which a penalty is not otherwise provided, shall on conviction be fined in any sum not exceeding one hundred dollars.

§ 22. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 23. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE IV.

Areaways.

584. § 1. That it shall be unlawful for any person or persons within the city of Lincoln to contract or maintain any cellarway, window or door, area or entrance to any basement in any alley in the said city of Lincoln of greater width than as prescribed in section 3 hereof.

585. § 2. All cellarways, doors or windows, areaways of entrances to basements in any alleys in the said city of Lincoln shall be constructed with solid wall of brick or stone at least one foot in thickness, and top thereof to conform with the level of the pavement of the alley wherever said alley is paved, and to the level of the grade in unpaved alleys, provided that a stone coping on said area walls may come six inches above said grade. In the center of said wall there shall be placed an iron railing three feet in height in all cases where said cellarway or other opening is left uncovered.

586. § 3. In all alleys which are over twelve feet in width such cellarways, windows or doors, areaways or entrances to basements shall not extend from the lot line into said alley to exceed three feet and six inches to the outer edge of the wall as herein prescribed.

In all alleys twelve feet or less in width such cellarways, windows or doors, areaways or entrances to basements shall not extend from the lot line into said alleys to exceed two feet in width to the outer edge of said wall.

587. § 4. In all alleys over twelve feet in width the person or persons constructing or maintaining such cellarway or other opening as herein prescribed may leave same open and uncovered when protected by railing as prescribed in section 2 hereof. In all alleys twelve feet or less in width all such cellarways or other openings as herein specified shall be securely covered with iron gratings of sufficient size and strength to sustain the weight of the usual traffic by drays and vans on the streets of said city of Lincoln.

588. § 5. It shall be unlawful for any person or persons to construct any such cellarway or other opening as herein prescribed in any alley in said city of Lincoln without having first submitted the plans showing the proposed dimensions of same to the Street Commissioner of said city and having procured from said Street Commissioner a permit in writing for same. No fee shall be charged by said Street Commissioner for granting such permit.

589. § 6. That any person violating any of the said provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred (\$100) dollars and shall stand committed until such fine and costs are paid.

[Passed July 9, 1894. Passed over veto July 16, 1894. Published in *Journal* July 19, 1894.]

AN ORDINANCE providing for the licensing and taxing of auctions and auctioneers, prohibiting sales of goods, wares, and merchandise at auction under certain circumstances, regulating the sales thereof when permitted, providing for licenses or permits to sell under certain conditions, prescribing penalties for violations of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE V.

Auctions and Auctioneers.

590. § 1. No goods, wares, merchandise, or other thing whatever shall be sold at auction, or exposed for sale, in any street, avenue, alley, or public place in the city of Lincoln, un-

less permission in writing be first obtained from the Mayor, who is hereby authorized to grant a permit to make such sales, when, in his opinion such permission will not interfere with the free travel of any such street, avenue, alley, or public place, and will not be injurious in any respect to the city, or inhabitants thereof. A fee of five dollars, for the use of the school fund, shall be paid for each permit.

591. § 2. All sales of goods, wares, and merchandise, or other personal property, at public auction, within the city, except such as are made under and by virtue of legal process, shall be made by a person, his copartner or clerks, who shall have first paid the tax imposed on such occupation as herein provided.

592. § 3. Any person may become an auctioneer and be permitted to sell real and personal property at public auction, at a place to be named in said permit, upon paying to the City Treasurer the sum of one hundred dollars annually and executing a bond to the city, with two sureties, to be approved by the Mayor, in the penal sum of five hundred dollars, conditioned for the due observance of the ordinances of the City Council. Permits may be issued for three and six months upon payment of a proportionate part of the annual tax, and giving of said bond, such occupation tax to be paid into the police fund.

593. § 4. Every person who may wish to engage in such business, as above mentioned, shall apply in writing to the Mayor, setting forth therein his proposed place of business and the names of his sureties, and in no case shall such place of business be changed without the written consent of the Mayor. The permit shall be subject to revocation by the Mayor whenever it shall appear to his satisfaction that the party named therein shall have violated any provisions of any ordinance of the city relating to auctions or auction sales, or any condition of the bond aforesaid.

594. § 5. It shall be the duty of every auctioneer who shall offer for sale any watch, plate, or jewelry of any kind, to announce to the persons present, in a loud voice, whether the same be gold, gold-plate, silver, silver plate, or base metal, before

proceeding to sell the same. Every auctioneer who shall offer for sale any watch, plate, or other jewelry, without first making such announcement, shall, on conviction thereof, be fined in any sum not more than twenty dollars for each offense.

595. § 6. The purchaser at an auction sale of any watch, plate or jewelry, shall have the right to return it to the auctioneer at any time within five days from the day of the sale, if the watch, plate, or jewelry, be not of the quality represented to him, and the auctioneer shall return to the purchaser the price of the article. Should he refuse to do so, he shall forfeit his permit and be liable to a fine of not more than fifty dollars. And it is hereby provided that if it shall be made to appear to the satisfaction of the Mayor that the place of sale, or the place of business, of any such auctioneer, shall have been closed at any time during said five days, for the purpose of avoiding an offer to return any such article so sold, the Mayor shall revoke the permit of such auctioneer.

596. § 7. Any auctioneer who shall exhibit and offer for sale at auction any article, and induce its purchase by any bidder, and who shall afterwards substitute any article in lieu of that offered to and purchased by the bidder, shall forfeit his permit and be liable to a fine of fifty dollars.

597. § 8. Any auctioneer or person being present when any watch, plate, or jewelry, is offered for sale, who shall knowingly, with intent to induce any person or persons to purchase the same, or any part thereof, make any false representation or statement as to the ownership of or the character or quality of the article or articles so offered for sale, or as to the poverty or circumstances of the owner or pretended owner of such article or articles, shall, on conviction, be fined in any sum not more than fifty dollars; and if such false representation is made by such auctioneer, or by any other person with such auctioneer's knowledge and consent or connivance, the permit of such auctioneer shall be forfeited.

598. § 9. Every auctioneer, at the time of receiving his permit, shall file with the Clerk a writing, signed by him, designat-

ing the copartner and the clerks mentioned in section 2 of this article, and upon any change of such copartner or clerks, shall file a like writing, setting forth such change; and if any auctioneer shall permit any other person than such copartner or clerks to sell any article at auction at the place designated in such permit, he shall forfeit his permit, and, on conviction thereof, shall be fined not less than fifty dollars.

599. § 10. All provisions of this article shall apply to such copartner and clerks, while acting as auctioneer; and such copartner and clerk, so acting as auctioneer, shall be subject to all the penalties hereby imposed upon auctioneers for like offenses or violation of this ordinance.

600. § 11. In case of the death of any auctioneer before the time limited in his permit shall have expired, his copartner or copartners, if he has any, or his personal representative, may continue to act under the permit for the unexpired time.

601. § 12. No auctioneer shall sell, or offer for sale, at public auction, any goods, wares, merchandise, or other personal property, in any place, house, store, or other building, other than in the place where he is authorized to sell by his said permit, without a special permit from the Mayor.

602. § 13. It shall be unlawful for any person to sell, or attempt to sell, at public auction in this city, any goods, chattels, or personal property whatever, except under and by virtue of legal process, or under and by virtue of a mortgage, without having first obtained a permit therefor and paid the tax as herein required.

603. § 14. Any person who shall violate any of the provisions of this article, where no other penalty is imposed, shall, upon conviction, be fined in any sum not more than one hundred dollars.

§ 15. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 16. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the use of barbed wire fence in the city of Lincoln, providing for removal of such fence now in use, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE VI.

Barbed Wire Fence.

604. § 1. No fence or barrier consisting or made of what is called "barbed wire," or of which barbed wire is a part, shall be built, constructed, or used, within the city of Lincoln, along the line of or in or upon or along any street, alley, or public walk or drive; or through, along, or around, any public park, or in and about or along any land or lots or parks owned or controlled by the city of Lincoln.

605. § 2. Wherever in the city of Lincoln, in, along, or through, any public street, alley, or park, barbed wire is now in use in part or in whole for fence or barrier, the same shall be removed; and any party or parties owning, controlling, or building, the same, shall, upon written notice from the Street Commissioner, remove the same within thirty days from the service of such notice; and upon failure of such party or parties to comply with said notice, such party or parties shall be subject to a fine hereafter provided.

606. § 3. Any person violating any of the provisions of this article shall upon conviction be fined in any sum not more than twenty dollars.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE VII.

Billiards and Ball Alleys.

607. § 1. That it shall be unlawful for any person or persons to keep or permit to be kept upon his, her, or their premises, occupied by such person or persons, within the limits of the city of Lincoln, for hire, gain, or reward, any ball alley or alleys, or any billiard, pool, or other table or tables, without first having procured a license so to do as hereinafter provided. And no person shall keep any such table in any saloon or room connected therewith without having a license therefor as herein required.

608. § 2. That hereafter any person or persons desiring to keep such ball alleys, or billiard, pool, or other tables in the city of Lincoln, shall make application in writing to the Council of said city for a license so to do, specifying the place where the same is desired to be kept, and thereupon the Council of said city may direct a license to be issued by the Clerk of said city, signed by the Mayor and Clerk, and attested by the seal of said city, whenever the applicant shall have complied with the provisions of section three of this ordinance.

609. § 3. After said application shall have been granted, and before any such license shall be issued, the applicant shall execute and file with the clerk of said city a bond to said city in the sum of one hundred dollars for each ball alley, and one hundred dollars for each billiard or other table desired to be kept (a single bond being sufficient in either case), signed by one or more sufficient sureties to be approved by the Mayor, and shall also pay to the City Treasurer the sum of ten dollars for each ball alley, and the sum of ten dollars for each billiard or other table, and file the Treasurer's receipt for the same with the Clerk. The bond aforesaid shall be conditioned for the faithful observance of all requirements of this or any other ordinance or regulation made or to be made by said City Council concerning the keeping of ball alleys and billiard and other tables, and the payment of all penalties, damages, and costs that may be assessed against the

party on account of the keeping of the same. And upon the filing of the bond and the Treasurer's receipt aforesaid, the City Clerk shall issue the license aforesaid, provided the City Council has previously assented, which license shall specify the place where said ball alley or billiard or other tables are to be kept, and shall not be transferable.

610. § 4. It shall be unlawful for any person, licensed as aforesaid, to indulge in, or permit, in, at, or about the place where said ball alley or billiard or other tables are kept, any drunkenness, quarreling, fighting, profane or boisterous language, or gambling with any device whatever, or permit to play thereon or thereat any minor under the age of eighteen years, or apprentice, without the consent of the guardian or parent thereof; or to permit any person to play thereon or thereat after the hour of twelve P. M., and before six o'clock A. M.; and any person so offending or violating any of the provisions of this ordinance shall, on conviction thereof, be fined in any sum not exceeding one hundred dollars, nor less than five dollars for each offense, and pay the costs of prosecution, and shall be committed until the same are paid.

[Passed May 22, 1894. Approved May 24, 1894. Published in *Journal* May 25, 1894.]

AN ORDINANCE to provide for the registration of births in the city of Lincoln, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE VIII.

Births.

611. § 1. Every physician, midwife, and other person who may professionally assist or advise at any birth in this city, shall make and keep a registry of every such birth, and therein enter the time and place, ward and street and number, of such birth, and the sex and color of every child born, and the name and residence of each of the parents (so far as the foregoing facts can be ascertained).

612. § 2. It is hereby made the duty of every person mentioned in the last preceding section (required to make or keep such registry) to file with the health officer a written report, by him signed, of all the facts in said register required to be entered, during the first week of the months of January, April, July, and October, of each year, of all entries made during the preceding three months.

613. § 3. Any person who shall fail to keep the register required by this article, or who shall fail to make the report herein required within one week after the same is required to be made, shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE IX.

Bread.

614. § 1. All bread baked and offered and exposed for sale in the city of Lincoln shall be made of good and wholesome flour or meal.

615. § 2. All bread shall be sold by avoirdupois weight. All bread shall be made into loaves of one (1) and two (2) pounds weight when baked. And every baker of bread for sale shall mark each loaf with the initial letter of the name of the bakery where the same is made.

616. § 3. The provisions of this section shall not apply to biscuits, buns, rolls, or fancy breads weighing less than a quarter of a pound.

617. § 4. Any baker or other person who shall stamp his bread with the initial of another bakery than his own, or who shall make for sale, offer for sale, or procure to be sold, any unstamped bread, or bread not stamped by the baker thereof with the initial of his bakery, and any baker, or other person, who

shall sell, offer for sale, or procure to be sold, bread not made of wholesome flour or meal, or who shall sell, or offer for sale, any sour or spoiled bread or cake unfit for use, or who shall violate any of the provisions of the foregoing sections of this ordinance, shall, upon conviction, be fined for the first offense not less than five and not more than ten dollars, and for every other offense thereafter not less than ten and not more than fifteen dollars for each and every offense, and pay the costs of prosecution, and shall be committed until the fine and costs are paid.

[Passed December 12, 1893. Approved December 18, 1893. Published in *Journal* December 19, 1893.]

AN ORDINANCE regulating building and building permits in the city of Lincoln, prohibiting certain buildings in certain districts, providing regulations under which buildings may be erected in certain districts, regulating the granting of permits and fixing the amount of fees to be charged therefor, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE X.

Building Permits.

618. § 1. That when any person or persons shall be about to erect any house or building, or any addition to any building, the cost of which addition will exceed one hundred dollars, within the limits of the city of Lincoln, he or they shall make written application to the Chief of the Fire Department, stating the number and general dimensions of the building or buildings so to be erected, the estimated cost of the same, the location of said building or buildings, the number and height of the stories, the name of the owner or owners of the same, and the kind of material to be used in said building or buildings, and when the same will be completed; and if the Chief of the Fire Department report favorably thereon to the City Council and recommend the granting of the application, the City Council may issue a permit to such person or persons to erect such building or buildings

or addition, and to occupy such part of any street or sidewalk in front of or adjoining the premises upon which such improvement is to be made, not to exceed one-half the sidewalk and one-third the street, for such length of time as may be necessary; and all materials put upon the street or sidewalk used in the construction of said improvement, shall be piled up in a neat and workmanlike manner, and the gutter or gutters shall be kept unobstructed: *Provided*, No such permit shall be granted until the person or persons applying therefor shall have first paid into the City Treasury the following fees:

619. § 2. Application fee, 50 cents.

Permit for each building, outside of fire limits, 50 cents.

Permit for the obstruction of street, per month, \$1.50.

Permit for building within the fire limits, \$1.00 for each twenty-five foot frontage or fraction thereof.

The revenue so derived to be placed in the fund for the support of the Fire Department.

620. § 3. Any person or persons building within said limits without first having obtained the permit above provided for, or violating the same after having obtained it, shall, upon conviction thereof, be fined in any sum not less than five dollars nor more than one hundred dollars, and shall stand committed until such fine and the costs are paid.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the construction of buildings within the limits of the city of Lincoln, and the construction of brick and stone buildings within the corporate limits of said city, providing rules and regulations for the construction of such buildings, providing for the condemnation of buildings under certain circumstances, prescribing penalties for violations of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XI.

Buildings.

621. § 1. No building or structure of any kind or description shall be erected or constructed within the fire limits of the city of Lincoln, and no brick or stone building or structure shall be erected or constructed within the corporate limits of said city, except in the manner and as hereafter provided in this ordinance. But this ordinance shall not be construed to apply to or in any way affect buildings in course of construction or under contract before the passage of this ordinance.

622. § 2. It shall be unlawful to repair any frame building within the fire limits of the city of Lincoln when such building shall have been damaged by fire or decay, or both, to the extent of fifty per cent of the value of such building.

623. § 3. Whenever any frame building within the fire limits of said city shall have become damaged by fire or decay, or both, the extent of which, in the judgment of the Chief of the Fire Department and fire committee of the Council, exceeds fifty per cent of the value of such building, if the owner of such building objects to the such conclusion, he or they may file with the Chief of Fire Department a petition asking for the appointment of arbitrators to determine the question of damage; or if the Chief of the Fire Department should conclude that the damage is less than fifty per cent, then and in that case the owners of adjacent property to such damaged building may claim an arbitration to ascertain the damage to such building; in either case the party asking for arbitration shall pay six dollars to the Chief of Fire Department on filing his petition, which shall be in full of costs

of such arbitration. The arbitration to consist of three disinterested persons, one to be chosen by the Chief of Fire Department and one by the party filing the petition, and the two thus chosen shall select a third, and the decision of a majority of the persons so selected shall be final and conclusive.

624. § 4. Arbitrators selected to ascertain such extent of damages, before entering upon their work, shall make and subscribe an oath before an officer authorized to administer oaths, that they will make a thorough examination of the premises damaged as aforesaid, and make a just and true report as to the amount and extent of such damage, the report to be signed in duplicate, the original to be handed to the City Clerk, the duplicate to be given to the owner of the premises in question.

625. § 5. Whenever such building shall be adjudged by such arbitrators to have been damaged by fire, or decay, or both, to the extent of fifty per cent of its value, it shall be unlawful, as aforesaid, to repair the same, and the building or structure shall be torn down.

626. § 6. Whenever the owner, agent, or occupant, shall refuse or neglect, after five days' notice, to petition for such arbitration, it shall be lawful for the Chief of Fire Department and fire committee to declare such premises, as set forth in such notice, as having, in their judgment, been damaged by fire or decay, or both, to the extent of fifty per cent of its value.

627. § 7. If the owner or agent refuses after three days' notice to tear down or remove such building or structure, after the same has been condemned, according to sections numbered 5 and 6 of this ordinance, the building shall be removed by the Chief of the Fire Department, the expense of such removal to be taxed against the owner of said building.

628. § 8. Whenever, in the opinion of the Chief of the Fire Department, any wall or other part of a burned building is dangerous, he shall remove or cause it to be removed immediately.

629. § 9. When any building shall be deemed unsafe for the purpose for which it is used, or shall be in danger of being set on fire from any defect in its construction, the Chief of the

Fire Department shall report the same to the Mayor or Council and notify the owner or his agent, in writing, specifying wherein such danger consists or wherein such building is unsafe or defective. If the owner neglects or refuses, for the space of five days after the serving of such notice, to proceed to put such building in safe condition, or secure such wall or dangerous parts of a burned or decayed building, he shall be subject to the penalty of not less than five dollars nor more than one hundred dollars for each and every day such violation shall continue after the serving of such notice.

630. § 10. Sheds not exceeding twelve feet in height from the ground at the highest parts thereof, and not exceeding two hundred and fifty feet area, and privies not exceeding ten feet square or twelve feet high, may be constructed of wood outside the fire limits of the city of Lincoln; but shall not be permitted inside the fire limits unless by order of the Council upon recommendation of the Chief of the Fire Department; such sheds and privies shall be separate structures; such sheds shall not be located on the front part of any lot, nor shall they be used as a dwelling, or for any business purpose whatever, nor shall more than one shed be erected on any one building lot. A room may be partitioned off in such shed for the purpose of a privy, but for no other purpose.

631. § 11. Shelter sheds may be constructed having incombustible roofing not over one story sixteen feet high from the ground to highest point of roof, the roof to be supported on sufficient posts or piers, outside the fire limits of the city of Lincoln, but shall not be permitted inside the fire limits unless by an order of the Council upon recommendation of the Chief of the Fire Department. Such sheds shall have no inclosing walls or wooden floors.

632. § 12. All buildings hereafter erected within the fire limits of the city of Lincoln shall have their circumscribing walls of brick, stone, or other incombustible material, with proper footings and foundations of masonry.

633. § 13. Sills and lintels over six feet for doors and win-

dows, and posts for stone fronts of buildings more than twenty feet high, shall be of incombustible material.

634. § 14. All business buildings not exceeding fourteen feet high, shall have inclosing walls not less than twelve inches thick.

635. § 15. All two-story business buildings shall have inclosing walls twelve inches thick, and basement walls not less than sixteen inches thick.

636. § 16. All three-story business buildings shall have inclosing walls not less than twenty inches for basement and sixteen inches for first story, and twelve inches for second and third stories.

637. § 17. All four-story business buildings that are more than one hundred feet deep shall have the inclosing walls (supporting joists) twenty-four inches thick for basement and twenty inches for first story; sixteen inches for second and third stories and twelve inches for fourth story. If less than one hundred feet deep, the walls of basement twenty inches, first and second stories sixteen inches, third and fourth twelve inches. All five-story business buildings that are more than one hundred feet deep shall have the inclosing and division walls (supporting joists) twenty-four inches thick for basement story, twenty inches thick for first and second stories, and sixteen inches for third and fourth stories, and twelve inches for fifth story. Similar walls for five-story buildings one hundred feet or less in depth, basement walls twenty-four inches, first story twenty inches, second, third, and fourth, sixteen inches, and fifth story twelve inches, (except that division walls may be twenty inches for basement.) Division walls in business buildings that are three stories high shall be sixteen inches in basement and twelve inches in first, second, and third stories.

638. § 18. Front and rear walls for five-story business buildings shall be twenty-four inches thick for basement, twenty inches for first and second stories, sixteen inches for third and fourth stories, and twelve inches for fifth story. Similar walls for four-story business buildings shall be twenty-four inches for

basement, twenty inches for first story, sixteen inches for second and third stories, and twelve inches for fourth story: *Provided*, That any front or rear wall supporting beams or girders shall be increased eight inches in thickness by two feet, forming buttresses or pilasters directly under such beams or girders: And *Provided also*, That all twelve-inch division walls in business buildings shall have ledges formed of brick-work projecting four inches from face of wall on each side to receive the bearing of the joists and rafters.

639. § 19. Brick or stone walls in any business building for the purpose of dividing the interior into rooms, passages, or stairways, shall be of the thickness required for rear walls of the same height as the required partition walls.

640. § 20. The height of stories for all given thicknesses of walls must not exceed eleven feet in the clear for basement, eighteen feet in the clear for first story, fifteen feet in the clear for second story, thirteen feet in the clear for third story, twelve feet in the clear for fourth story, and fourteen feet in the clear average height of upper story. If any story exceeds these heights respectively, the walls of such story and of all stories below the same shall be increased four inches in thickness additional to thicknesses already mentioned.

641. § 21. In accordance with the foregoing provisions, all walls for business buildings shall be of the thickness designated in the following table:

INCLOSING WALLS.

	Basement, inches.	First story, inches.	Second story, inches.	Third story, inches.	Fourth story, inches.	Fifth story, inches.	Sixth story, inches.	Seventh story, inches.
One story high	12	8	...	...	...	...	...	...
Two stories high.....	16	12	12	...	...	...	...	...
Three stories high.....	20	16	12	12	...	...	...	...
Four stories high.....	24	20	16	16	12	...	...	...
Five stories high.....	24	20	20	16	16	12	...	...
Six stories high.....	28	20	20	20	16	16	16	...
Seven stories high.....	28	20	20	20	20	16	16	16
Four, less than 100 feet.....	20	16	16	12	12	...	...	...
Five, less than 100 feet.....	24	20	16	16	16	12	...	...
Six, less than 100 feet.....	24	20	20	16	16	16	12	...
Seven, less than 100 feet.....	24	20	20	20	16	16	16	12
<i>Division walls in business buildings.</i>								
For three-story buildings.....	16	12	12	12	...	...	...	...
For four-story buildings.....	20	16	16	16	12	...	...	...
For five-story buildings.....	24	20	20	16	16	16	...	...
For six-story buildings.....	28	20	20	20	16	16	16	...
For seven-story buildings.....	28	20	20	20	20	16	16	16
For five-story, less than 100 feet.....	24	20	16	16	16	12	...	...
For six-story, less than 100 feet.....	24	20	20	16	16	16	12	...
For seven-story, less than 100 feet...	24	20	20	20	16	16	16	12
<i>Front and rear walls.</i>								
Of four-story buildings.....	24	20	16	16	12	...	...	...
Of five-story buildings.....	24	20	20	16	16	12	...	...
Of six-story buildings.....	28	24	20	20	16	16	12	...
Of seven-story buildings.....	30	24	24	20	20	16	16	12
<i>Brick partition walls in business buildings.</i>								
For one story.....	12	12	...	...	...	...	...	...
For two stories.....	16	12	12	...	...	...	...	...
For three stories.....	16	16	12	12	...	...	...	...
For four stories.....	20	16	16	12	12	...	...	...
For five stories.....	20	20	16	16	12	12	...	...
For six stories.....	24	20	20	16	16	12	12	...
For seven stories.....	24	20	20	20	16	16	12	12

642. § 22. Whenever it is sought to increase the height of any building beyond the height for which the original permit was granted, the thickness of the walls thereof shall also be increased in accordance with the above table.

643. § 23. The outside walls of rooms having trussed roofs or ceilings, such as churches, public halls, theaters, dining rooms, or the like, if more than fifteen and less than twenty-five feet high, shall average at least sixteen inches; if over twenty-five feet high, at least twenty inches; if over forty-five feet, at least twenty-four inches in thickness. An increase of four inches in thickness shall be made in all cases where the walls are over one hundred feet long, unless there are cross-walls of equal height,

644. § 24. If solid buttresses are employed with a sectional area of three hundred or more square inches, placed less than eighteen feet apart, and extended to, or nearly to, top of walls, four inches may be deducted from the thickness of any wall having such buttresses.

645. § 25. Cut-stone facings of walls shall be backed up with brick work of same thickness required where no cut stone is used. In cases where the cut stone is in great measure self-supporting, four inches less thickness of brick backing may be used. Ashlar fronts properly bonded to the brick work may have backing same as self-supporting stone fronts or walls.

646. § 26. Any party wall now existing that shall have been built conformably to the requirements of any law regulating the construction of such walls, and in force at the time of such construction, if sound and in good condition, may be used in the construction of an adjoining building: *Provided, however,* That no brick work shall be placed on such wall to give additional height to the wall, unless the thickness of such additional wall and the thickness of the old wall in each story shall at least equal the thickness required for division walls of same height for business buildings, as herein required for division walls. This section shall apply in all cases where it is desired to add additional height to any business building. In case of outside walls of any business building being built against the wall of any old build-

ing, (not being a party wall,) the new wall shall be of the same thickness as required for outside walls in such building.

647. § 27. Domes on any business buildings shall be made so as to entirely exclude wood in their construction. All mansard or other roofs having a greater inclination than sixty-five degrees shall be rendered fire-proof by coating the sheathing at least one inch deep with a firm plaster or cement immediately under the incombustible weather covering of such roofs. Strips one inch square may be fastened to the sheathing to receive the fastenings of the slate, tile, or metallic roofing, the cement plastering to be laid flush with such strips. All mansard or other roofs in business buildings shall be covered entirely with incombustible materials.

648. § 28. Slate covering of roofs having less inclination than sixty-five degrees, or for roofing of spires or similar construction, may be fixed directly to wood sheathing or lath; *Provided*, That each course of slating shall be pointed with cement in the joints so far as such joints are to be covered by the succeeding course; also, that a bed of similar cement shall be spread on the sheathing at the upper end of the slate, at least five inches in width, and made flush with the course of slate already laid, and forming a bed for the succeeding course of slate. When slates are secured to lath, the entire under side of such slate roofing shall be pointed with cement mortar in usual and best manner.

649. § 29. Buildings having the first story, or basement and first story, designed for business purposes, and the upper stories for dwellings, the first floor being not more than thirty inches above grade of sidewalk, shall have walls of brick work of the thickness as follows, to-wit: For two-story-and-basement buildings, the basement walls sixteen inches and first-story walls twelve inches; second story, eight inches; for three-story-and-basement buildings, basement walls, twenty inches; first and second stories, twelve inches; third story, eight inches; for four-story buildings, the basement wall twenty-four inches; first story sixteen inches; second, third, and fourth stories, twelve inches;

when built in blocks of two or more buildings, the division walls in three-story buildings may be sixteen inches in basement, and in four-story buildings they may be twenty inches in basement.

650. § 30. Two-story-and-basement walls of dwelling houses may be constructed of brick work, the basement walls not less than sixteen inches thick; walls of first and second stories not less than eight inches thick; and all such dwellings erected in blocks of two or more buildings shall have division walls in basement twelve inches thick, and first and second stories eight inches thick.

651. § 31. Three-story-and-basement dwelling houses shall have walls of basement not less than twenty inches thick; walls of first and second stories, twelve inches; third story, eight inches. Such dwellings erected in blocks of two or more buildings may have the division walls in basement and first story twelve inches, and in second and third stories eight inches.

652. § 32. All dwelling houses of more than three stories and basement shall be constructed, if of brick, with outside walls for basement and first story, not less than sixteen inches thick; walls above first story, not less than twelve inches thick; division walls in blocks may be twelve inches thick in first story; division walls in any building that are less than sixteen inches thick, shall have ledges on each side projecting four inches from face of wall to receive the bearings of joists or rafters.

653. § 33. In accordance with the foregoing provisions, all walls for dwelling houses shall be of the thickness designated in the following table:

WALLS OF DWELLINGS.					
	Basement, inches.	First story, inches.	Second story, inches.	Third story, inches.	Fourth story, inches.
Basement and two stories	16	8	8	...	...
Basement and three stories	20	12	12	8	...
Division walls, basement, and two stories	12	8	8	...	...
More than three stories	16	16	12	12	12
Division walls, basement, and three stories	12	12	8	8	...
Division walls, basement, and four stories	16	12	12	12	12
<i>When first story, or basement and first story, for shops and stores.</i>					
Two stories and basement	16	12	8	...	...
Three stories and basement	20	12	12	8	...
Four stories and basement	24	16	12	12	12
Three-story building, division wall	16	12	12	8	...
Four-story building, division wall	20	16	12	12	12

654. § 34. All dwelling houses, including those having first story used for business purposes, and all other buildings that are not more than two stories high, having flat roofs, shall have all the walls (except front walls) extend sixteen inches above the roof, and not less than eight inches thick; to have proper copings of incombustible material; double-pitched roofs to have their division and side walls carried up, forming fire walls in same manner. Walls at the eaves of all roofs (except flat roofs) shall be carried up their full thickness, flush with the upper edge of the rafters of roof, and the sheathing board shall be bedded in mortar on such walls.

655. § 35. Business buildings, more than two stories high, having flat roof, shall have their side and rear walls carried two feet above the roof; division and party walls three feet above; forming fire walls, not less than twelve inches thick; to have copings of incombustible material. Front walls may terminate flush with the upper surface of sheathing of roof. Division and

party walls to extend through mansard or other steep roofs, not less than sixteen inches, and have copings same as other fire walls.

656. § 36. Any building not more than three stories high may have the rear wall terminate flush with the upper surface of the sheathing of roof: *Provided*, That the gutter of the eave of such roof is entirely of metal or of wood enveloped with metal, such metallic work to extend across and cover the wall and be properly secured to sheathing of roof.

657. § 37. No chimney shall be built with less than four-inch walls, and no chimney top shall be less than five feet above the roof (for flat roof) and two feet above the ridge of any pitched roof; ordinary flues in business buildings shall have four-inch walls and eight-inch jams; flues larger than 250 square inches and less than 500 square inches shall be surrounded with walls not less than eight inches thick; the wall of such flue above the inlet funnel shall be twelve inches thick for the first fifteen feet around and above such inlet; tops of such chimneys to be at least eight feet above roof, or five feet above the highest part of main roof within fifty feet of such chimney. Flues with more than 500 and less than 800 inches area shall have not less than twelve-inch walls for the first thirty-six feet, and sixteen-inch walls opposite the inlet and ten feet above the same; top of such chimney ten feet above the roof, or seven feet above the highest part of main roof within fifty feet of such chimney. Chimneys with flues more than 800 and less than 1,800 square inches shall have surrounding walls not less than twelve inches thick to the height of forty-five feet, and shall have a four-inch lining with four-inch air space opposite the inlet funnel, the lining to commence four feet below the inlet and extend eight feet above the same; to have openings from flue into the air space at top and bottom of the lining; (flues having twelve-inch walls, to the height herein mentioned, may be continued with the walls not less than eight inches thick;) chimney tops of flues having 800 to 1,800 inches shall be built twelve feet above the main roof, and ten feet above any main roof within a radius of fifty feet;

Provided, That all chimneys having walls less than eight inches thick shall be plastered on the brick or to be covered with metallic lath or wire cloth, before plastering.

658. § 38. The provisions of the foregoing section as to thickness of walls pertaining to chimneys, shall be applicable only to such chimneys as are part of or situated in any building. Flues in party walls shall not extend beyond the center of the wall. Joint flues in party walls shall be separated by a four-inch "width" of brick work their entire height.

659. § 39. All chimneys with flues larger than 1,800 square inches shall be disconnected from any main building, and shall be at least ten feet above the highest building within a radius of thirty feet, and in no case less than fifty feet high.

660. § 40. Proper footings and foundations of masonry shall be prepared for the support of buildings. Business buildings fronting on streets having sewers, shall have their foundations sunk at least twelve inches below the drainage, and no foundation shall be less than four feet below the exposed surface of the ground, and in no case shall any foundation rest on any filling or made ground. The breadths of the foundations of the several parts of any building shall be proportioned so that, as nearly as practicable, the pressure shall be equal on each square foot of the foundation. Water-lime cement mortar shall be used in the masonry of all foundations exposed to dampness.

661. § 41. In brick walls every seventh course shall be headers. All fire flues shall be smoothly plastered on the inside or have struck joints on both inside and outside. Walls shall be securely anchored to the timbers and joists resting upon them.

662. § 42. Hollow walls, not bearing walls, may be used in all cases; but all hollow walls shall be bonded or tied together with incombustible anchors, placed not more than five feet apart. If used as bearing walls, the thickness shall be reckoned by their solid parts, unless either part is at least eight inches thick, and solid connections are made in upright directions not less than twelve inches wide nor more than eight feet apart from centers. In such case two-thirds of the hollow space shall be counted

with the solid parts; *Provided*, That in no case shall the ends of the joists or other wood work be allowed to come within four inches of the hollow space.

663. § 43. The backing of any iron front that is not wholly self-supporting shall be treated as an independent wall. If the iron wall is self-supporting, then the party wall shall be extended to meet the outer thickness of iron, and all vacancies shall be filled with grout to insure a complete separation of adjoining buildings.

664. § 44. During the construction of any building, no wall shall be carried to a greater height than two stories above any other wall.

665. § 45. The weather covering of all roofs shall be made of incombustible materials. Composition roofs shall be made of not less than three-ply No. 2 felting, which shall be well cemented together, and be covered with distilled composition, and clean screened gravel, well bedded; such roofs on all buildings that are more than two stories high, shall have four-ply felting, to be swept off, and have a second coating of distilled composition and similar gravel. The pitch of composition roofs shall not exceed two inches to the foot.

666. § 46. No uncovered tar, composition, resin, felt, or wood work, shall in any way be exposed on any roof or its appendages.

667. § 47. Appendages to any business building above the first story, and above thirty feet from grade of sidewalk on any other building, if not wholly of incombustible material, shall be enveloped with metal; dormer windows, cornices, mouldings, balconies, bay windows, towers, spires, ventilators, etc., shall be considered as appendages.

668. § 48. All sky-lights exceeding fifty superficial feet shall have frame of sash constructed entirely of iron. Glass in all sky-lights, if not "prismatic lights," shall be protected by screens made of No. 10 (or heavier) wire, with meshes not exceeding $1\frac{1}{2}$ inches, such screen to be secured to the sash and kept at least four inches above the glass.

669. § 49. All buildings shall be kept provided with proper metallic leaders for conducting the water from the roof to the ground, sewer, or street or alley gutter, in such manner as shall protect the walls and foundations from damage; and in no case shall the water from such leaders, or otherwise, be allowed to flow upon the sidewalks, but shall be conducted by drain pipe to the street or alley gutter or sewer.

670. § 50. All cornices, gutters, eaves, and parapets, (above the first story of business buildings, and above thirty feet from grade of sidewalk on all other buildings,) shall be made of incombustible material. All metal cornices shall be riveted together with rivets not more than two inches apart, and shall be supported by iron brackets of $\frac{1}{4}$ x1 inch (or heavier) iron, placed not more than four feet apart, and firmly secured to the wall. The roof or covering of all cornices may be sheathed with wood, provided such sheathing shall be entirely covered with metal; or where composition roof is used, it may extend within six inches of front edge of cornice, which space of six inches shall be metal. Cornices constructed of stone shall not extend more than thirty-six inches beyond the face of the wall, and three-quarters of their weight shall be upon the wall.

671. § 51. All roofs shall be so constructed as to be reached by scuttle; the same shall be at least 20x30 inches, the frame and lid covered with metal, and shall have a stationary ladder communicating with such scuttle.

672. § 52. All business buildings being more than fifty-six feet high, covering an area of more than 5,000 superficial feet; also all buildings exceeding eighty feet in height, shall have a $2\frac{1}{2}$ inch (or larger) metallic standpipe within or near the front or rear wall, extending above the roof, and arranged so that engine hose can be attached from the street or alley. All hose couplings shall conform to the size and pattern adopted by the Fire Department, and shall have connections for hose and valve at each story.

673. § 53. All signs placed against any building above the sills of the second story windows, shall be made of incombusti-

ble materials. No wooden signs shall be more than three feet in width.

674. § 54. Piazzas or open porches shall not be inclosed except to form vestibules to entrance doors, or to protect stairways.

675. § 55. All floor beams, joists, and headers, shall be kept at least two inches clear of any wall inclosing a fire flue or chimney breast, and the space left between the framing and such flue shall be filled with solid gauged mortar, to be a heavy coat of plastering put on the walls of such flues before any other wood work shall be placed against it.

676. § 56. All hearths for ordinary fire places, shall rest on trimmer arches, the header kept at least eighteen inches from face of chimney breast. The backs of all fire places shall not be less than eight inches thick, all stovepipe holes to have proper thimbles and stoppers, and kept stopped at all times when not in use.

677. § 57. Ends of joists or beams entering a brick wall shall be cut so as not to disturb the brick work by any deflection or breaking of the joists or beams. All such joists or timbers entering a party or division wall from opposite sides shall have at least four inches of solid brick work between the ends of such timbers or joists.

678. § 58. Joists and girders in any building shall be of proper dimensions to sustain the load designed to be placed upon them; girders may rest upon piers of brick or stone, or upon columns of wood or iron of proper dimensions. All floor joists shall be properly bridged with cross-bridging. All headers in floor framing of business buildings that are placed at a greater distance than two feet from the end of a trimmer shall be fixed in proper iron stirrups.

679. § 59. Plank or board partitions in any one story shall not aggregate more than 350 superficial feet. Partitions in hotel buildings and tenement houses, made of scantling, to be lathed and plastered, shall be filled in with brick work, eight inches high, in best manner, supported by I beams or proper and safe truss when crossing rooms below. Scantling partitions shall not be employed as supports of any floor or roof, (except dwelling houses.)

680. § 60. Stairways shall not be inclosed with partitions made of plank, boards, flooring, or scantling, unless plastered on both sides.

681. § 61. In all factories, mills, or warehouses, more than three stories high and covering an area of more than 3,000 superficial feet, all stairway partitions shall be constructed of incombustible materials.

682. § 62. Hoistway openings shall have trap doors (covered with metal on the under side) on all floors except where elevators are used, with sufficient guards for protection during the hours of business; and said doors shall be kept closed at all other times.

683. § 63. Hoistways in which passenger elevators shall be used shall have a fire-proof shaft started at the lowest point reached by such elevator, and from such point extended up through and six feet above the roof.

684. § 64. Doors in such shaft shall be made of metal, and the catches or fastenings upon such doors shall be so placed that they can be opened only from the inside of the shaft, and entirely under control of the elevator operator.

685. § 65. All openings not having doors shall have metallic frames filled with prismatic lights in iron frame.

686. § 66. Open passenger elevators within the well hole of an open stairway are not prohibited.

687. § 67. In case of automatic trap doors being used at each floor through which an elevator passes, which doors (being lined with metal on the under side) shall close immediately after the passage of the cab or platform of the elevator through any floor, the opening or closing of the doors being operated by the passage of the cab or platform, such elevators may dispense with any shaft whatever.

688. § 68. Any scantling partition shall be regarded as incombustible when plastered on both sides upon iron laths, tile, or wire cloth, and filled in with brick work at least eight inches high from the floor.

689. § 69. All stores, storehouses, mills, and manufactories,

that may hereafter be erected in Lincoln, which are more than two stories high, shall have doors, blinds, or shutters, made of fire-proof metal, on every window and entrance where the same do not open on a street, or are within fifty feet of any opposite building. When in such buildings the shutters, blinds, or doors, cannot be put on the outside, they shall be put on the inside and hung upon iron eyes or frames independent of any wood work; shutters above the first story to be arranged so that they can be opened from the outside. Prismatic lights in iron frames shall be regarded as an equivalent to iron shutters.

690. § 70. All buildings, except such as are used for private residences exclusively, in said city of Lincoln, of three or more stories in height, shall be provided with one or more metallic ladders, or metallic fire escapes, extending from the first story to the upper stories of such building, and above the roof and on the outer walls thereof, in such location and numbers, and of such material and construction as the City Council may from time to time determine. After such determination shall have been made as aforesaid, the Chief of the Fire Department of said city may at any time, by a notice in writing served upon the owner, lessee, or occupant, of any such building by leaving with such owner, agent, lessee, or occupant, or at his or their residence or place of business, a copy of such notice, require such owner, agent, lessee, or occupant, or either of them, to cause such metallic ladder or fire escape to be placed upon such building within thirty days after the service of such notice: *Provided, however,* That all buildings more than two stories in height, used for business purposes, shall have one metallic ladder for every twenty-five persons, or less, employed above the second story.

691. § 71. In case such owner, agent, lessee, or occupant, or either of them, so served with notice as aforesaid, shall not, within thirty days after the service of such notice upon him or them, place, or cause to be placed, such metallic ladder or fire escape upon such building as required by this article and the terms of such notice, he or they shall be subject to a fine of not less than ten nor more than one hundred dollars, and to a further

fine of fifty dollars for each week of such neglect to comply with such notice after the service of the same.

692. § 72. The face of wall, pilaster, or column, of any building, above the level of its main water table, unless such column or pilaster is merely part of any portico or window, or window dressing, shall not project beyond the lot line to exceed eight inches.

693. § 73. Porticos to any building, extending through one or two stories, may have their plinths to extend four feet over the lot line, but bay or oriel windows to dwelling houses shall have the body of such window not more than three feet over the lot line, and no part of such window shall be at a less distance than eight and one-half feet above grade of sidewalk; brackets projecting not more than fourteen inches to be kept seven feet above the sidewalk.

694. § 74. Smoke houses shall be constructed throughout of incombustible material, with ventilators at, or near, the top, and iron guards not less than four feet above the fire beds, sufficient to keep the meats from falling into the fire. If they open into other buildings, such openings shall be protected by iron doors or shutters, properly and thoroughly constructed, and kept closed at all times when smoking meats.

695. § 75. The egress, openings, and stairways, of theaters, or other rooms wherein crowds of people or children assemble, or wherein large numbers of employes are kept at work, shall in no case be less than five feet wide, nor aggregate in a less proportion than eighteen inches for each one hundred persons such theater or other room may contain or accommodate. This provision to apply to the doors of each gallery or compartment of such building, as well as to the exterior openings. All doors of such buildings, or rooms, shall be made to swing outward.

696. § 76. All buildings over two stories high, used for the manufacture of combustible articles or materials, wherein more than fifty employes are kept at a time, must have at least two egress stairways, which are at least fifty feet from each other.

697. § 77. No building within the fire limits of the city of

Lincoln shall be used or occupied, in whole or in part, for any of the trades or occupations hereinafter mentioned, to-wit: planing mills, sash, door, and blind factories, carpenter or cooper shops, wagon or carriage manufactories, cabinet and furniture factories, wood-turning and veneering works, agricultural implement factories, box or shingle factories, or any other wood-working factory or shop: unless such building so occupied shall have in connection with it a brick or fire-proof flue and vault, the latter of sufficient capacity to contain all shavings, sawdust, chips, or other light combustible refuse, connected therewith; and all such shavings, and other light combustible refuse, shall be removed daily from such premises to such vault. In no event shall proprietors, owners, or lessees, of such manufactories, allow combustible refuse to accumulate upon any lot, or in any building unless stored in a fire-proof vault, the doors to be kept closed when not transferring said combustibles in or out.

698. § 78. No person shall, hereafter, either as owner, lessee, or agent, use or occupy, or permit the use and occupation, of any store, factory, workshop, or other structure, where any person or persons shall be employed as workmen or workwomen, for wages, in any trade or occupation, unless every such store, factory, workshop, or other structure, shall be provided with sufficient doors and stairways for the escape of the employes as aforesaid in event of fire or other accident, happening, under penalty of not less than twenty-five dollars for each and every offense, and the further penalty of fifty dollars for each and every day such owner, lessee, or agent shall, after the first conviction, neglect, or refuse to comply with any provision of this section.

699. § 79. Every store, building, factory or any other structure, wherein any person or persons shall be employed, above the first story thereof, in any trade or occupation, as workmen or workwomen for wages, shall contain and be provided with a good and sufficient fire-proof stairway for each twenty-five feet of frontage of every such store, building, factory or other structure.

700. § 80. In every factory, workshop, or other place or

structure where machinery is employed, the belting, shafting, gearing, elevators, and every other thing, when so located as to endanger the lives and limbs of those employed therein while in the discharge of their duties, shall be, as far as practicable, so covered and guarded as to insure against any injury to such employes.

701. § 81. Every vat, pan, or other structure, with molten metals or hot liquid, shall be surrounded with proper safeguards for preventing accidents or injury to those employed at or near them.

702. § 82. The walls and roofs, doors and windows, shall be kept in good repair, so as to keep out rain, wind, and snow.

703. § 83. Any person neglecting or refusing to comply with any of the requirements contained in the last four preceding sections, after notice so to do from the Chief of the Fire Department, shall be subject to the penalty of not less than ten dollars for each such neglect or refusal, and the further penalty of twenty-five dollars for each and every day such neglect or refusal shall continue.

704. § 84. Hot air, hot water, steam, or other furnace, whether brick or metal, shall be kept at least ten inches, and the smoke flue at least twenty inches, off from any unprotected wood work. All furnaces shall be placed on foundations of brick or stone, with proper hearths, of incombustible material, at least thirty-six inches wide in front, and full width of the ash pit. All hot air conductors that are placed within ten inches of any wood work, shall be made double, one within another, with at least one-half inch space between the two. All hot air registers shall be set in incombustible borders not less than two inches in width; all such borders shall be firmly set in plaster of Paris; openings in floors for registers shall be lined with bright tin to receive the register boxes, the lining to be kept at least one inch distant from such register box. I. C. or I. X. bright tin shall be used in the construction of all hot air flues and air appendages.

705. § 85. The wood work of all boiler houses and boiler

rooms shall be kept at least six feet from the boiler and four feet from the breeching and smoke conductor, and one foot from the dome of the boiler, unless such wood work is properly protected with incombustible material, and then there shall be at least two feet space from the boiler or smoke-pipe and the protection.

706. § 86. The floors of all rooms when containing stationary boilers shall be made of incombustible material five feet on all sides and at least eight feet in front of any boiler.

707. § 87. When portable boilers are used on wood floors of any building, such wood shall have a close protection of incombustible material, not less than six inches thick, covering all the space under the boiler and projecting not less than two feet on the sides and rear and six feet in front, with an air chamber of not less than two inches formed in such projections. Hollow tiles properly laid may be used for such protection.

708. § 88. No brick oven, coffee roaster, or any other brick structure to contain fire shall be permitted on a wood floor of any building.

709. § 89. No wood fence shall be constructed that exceeds six feet in height above sidewalk grade, or above surface of the ground where no grade is established.

710. § 90. Cupolas of foundries shall in all cases extend at least four feet above highest point of roof within a radius of forty feet of each cupola.

711. § 91. Steam pipes shall be kept at least two inches from all wood work, otherwise they shall be protected by a soapstone or earthen ring or tube, or rest on iron supports.

712. § 92. No pipes shall be let into the joists or beams of any floor to a greater depth than two inches, and not more than three feet from the ends of the joists or beams.

713. § 93. Wooden flag-poles are permitted to be erected on any building, but their braces and other parts, if any such be put on, shall be of iron.

714. § 94. Walls of any building shall be securely braced during process of erection.

715. § 95. The term "business building" shall embrace all

buildings used principally for business purposes, thus including among others hotels, theaters, office buildings, churches, academies, colleges, and schools.

716. § 96. The terms "wholesale store" or "storehouse," shall embrace all buildings used (or intended to be used) exclusively for purposes of mercantile business or storage of goods.

717. § 97. A basement story of any building is defined as a story whose floor is twelve inches or more below the sidewalk, and whose height does not exceed twelve feet in the clear. All such stories that exceed twelve feet high shall be considered as first stories.

718. § 98. The heights of all buildings for the purposes of this ordinance shall be taken from the grade of the sidewalk to a point half way from the lowest to the highest point of roof.

719. § 99. Any chimney not forming a part of a wall shall rest upon the ground, with proper foundation, and in no case shall any chimney rest on or be supported by frame work, beams, or posts of wood work of any description.

720. § 100. All doors in shafts of elevators shall have latches so contrived that a key shall be used to unlatch the doors from the outside, but may have a knob or handle to open the door from the inside.

721. § 101. No occupant, owner of, or contractor for, any building, or any other person, shall in any way hinder or prevent an authorized officer from entering any business building, or any other building in process of construction.

722. § 102. Iron bars shall not be driven in the roadway of any street for the purpose of attaching guy-ropes of derricks. Posts may be set up opposite any derrick for the purpose of attaching guy-lines. Such posts shall not be less than eight inches square, of sound timber, sixteen feet long, set at least four feet into the ground. Guy ropes attached to such posts shall be kept at least four feet into the ground. Guy ropes attached to such posts shall be kept at least ten feet above the surface of the street.

723. § 103. Any work of alteration or addition made for any purpose, in, to, or upon, any building, except the necessary

repairs not affecting the construction of external or party walls, chimneys, stairways, or height of a building, shall, to the extent of such work of alteration or addition, be subject to the regulations of this ordinance.

724. § 104. Every theater, opera house, hall, church, or other building intended to be used for public assemblages, shall be deemed a public hall within the meaning of this ordinance.

725. § 105. No stairway to any public hall or part thereof shall rise more than ten feet without a platform, and no winders, wheeling, or circular steps, shall be used. Each stairway and passageway shall have a strong hand rail on each side thereof through its entire length.

726. § 106. Every public hall with accommodations for five hundred or more people shall have at least two separate and distinct exits, to be as far apart as may be found practicable. Public halls accommodating seven hundred or more persons shall have at least three separate and distinct exits. The exits from all galleries shall be independent of and separate from the exit of the main floor.

727. § 107. In all theaters the proscenium walls shall be of brick work, not less than sixteen inches thick, extending from the ground through and four feet above the roof; this brick wall to extend entirely across the building from the floor of the stage to the ground. All openings required in any part of the wall (except principal opening) shall have proper iron doors.

728. § 108. All auditorium floors in theaters shall be fire-proofed, either by deafening the same with at least one inch of mortar, or have the under side of joist lathed with iron and plastered with at least one heavy coat of mortar.

729. § 109. All partitions for rooms or passages in theaters, if not made bodily fire-proof, shall be plastered on both sides on iron or wire lathing.

730. § 110. The preceding sections shall apply only to theaters or public halls that may hereafter be erected or rebuilt. The following sections shall apply to theaters or public halls that are now or may hereafter be erected or constructed:

731. § 111. All egress openings in public halls shall have the word "exit" conspicuously placed over them, and shall otherwise conform to the requirements of section 75 of this ordinance. The aisles or passages in such halls shall at all times be kept unobstructed.

732. § 112. The term "theater" shall, for all purposes of this article, include all public halls containing movable scenery, or fixed scenery which is not made of metal, plaster, or other incombustible material.

733. § 113. All materials used for scenery shall be coated with such paint, washes, etc., as will make it, as far as possible, incombustible.

734. § 114. All theaters or other places of public amusement having a seating capacity for over five hundred persons, and having a platform or stage, and using drop curtains or shifting scenery, shall have a suitable ventilator placed upon the roof and opening to the space above the stage. Such ventilator shall be arranged with valves or shutters that can be readily opened in case of fire, so that a current of air will pass over the stage and outward through such ventilator. Any other contrivance having the same effect, and approved by the Chief of the Fire Department, may be used instead of the ventilator above described.

735. § 115. All such buildings shall have a water standpipe and water plug, to be placed on the stage or platform, or in its immediate vicinity, which shall be connected with the water pipes or street mains of the city, and shall be put in under the direction and to the satisfaction of the Chief of the Fire Department.

736. § 116. Hose shall be attached to such standpipe, of such size as may be directed by said Chief of Fire Department, to have nozzle and stop-cock attached thereto; such hose shall be of sufficient length to extend to the farthest limits of such building or place of amusement, and shall at all times be kept in good order and repair, filled with water under pressure, and ready for immediate use.

737. § 117. All public halls with accommodations for one

thousand or more persons shall have at least one standpipe in the street or alley on the outside of building, from ground to roof, with hose attachments close to a window or door at each floor or gallery.

738. § 118. Such hall shall also be provided with a fire alarm telegraph apparatus, connected by the necessary wires with the headquarters of the city fire alarm telegraph, or such other place or places as the Chief of the Fire Department shall direct.

739. § 119. It shall be the duty of all owners, agents, lessees, and occupants of such public hall to provide such fire extinguishing apparatus at such points about the building as the Chief of the Fire Department shall direct.

740. § 120. Any person who shall violate any of the provisions of this ordinance, where no other penalty is provided, shall be subject to a fine of not less than ten dollars nor exceeding one hundred dollars for each and every offense. Any builder or contractor who shall construct, and any architect having charge of the same who shall permit to be constructed, any building in violation of this ordinance, shall be liable to the penalties provided and imposed by this section.

741. § 121. No buildings constructed of corrugated iron shall be built within the fire limits of this city, except in the rear of store buildings, on the alleys, and then only upon special permit of the City Council by a three-fourths vote. Such corrugated iron to be fastened to the uprights or posts, no sheathing to be used, and said iron to be not less than No. 22 standard corrugated iron.

§ 22. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 23. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating burials and removals of the dead in the city of Lincoln, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XII.

Burial Permits.

742. § 1. It is hereby made the duty of every undertaker, or other person, before removing any corpse for burial, to obtain from the Board of Health a permit so to do; and before obtaining such permit, he shall deposit with the health officer a certificate setting forth, as nearly as can be ascertained, the name, age, sex, nativity, color, occupation, whether married or single, number and street of late residence in the city, time of residence therein, place of previous residence, cause and date of death, duration of last illness, and the place and date of intended interment, which certificate shall be signed by the physician or surgeon in attendance at the time of death. In case a coroner's inquest shall be held, the fact shall be stated and the coroner shall be required to certify to the fact to the Board of Health; and no sexton or other person shall assist in or assent to, or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which permit has not been given authorizing the same. Such permit shall be delivered by the undertaker to the sexton, or any other person receiving such corpse for burial or transportation to some other place for interment, and by him returned to the health officer with the date of its receipt and the disposition of such corpse indorsed thereon. No interment shall be made at any place within the city limits, and at no place except in a regular cemetery.

743. § 2. Any person who shall violate any of the provisions of this ordinance shall, upon conviction, be fined in any sum not more than one hundred dollars.

§ 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest; J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE prescribing and defining the city limits of the city of Lincoln, Lancaster county, Nebraska, and repealing ordinances in conflict with the provisions of this ordinance.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XIII.

City Limits.

744. § 1. The corporate limits of the city of Lincoln, in the county of Lancaster, be and hereby are established and fixed as follows, that is to say :

Commencing at the northwest corner of the southwest quarter of section 23, town 10 n, range 6 e of the sixth P. M. in Lancaster county, state of Nebraska, and running thence south along the section line to the se cor of the n hf ne qr of sec 27, t 10 n, r 6 e; thence west to nw cor of ne qr se qr ne qr of said sec 27; thence south to the sw cor of the ne qr ne qr se qr of said sec 27; thence west to the nw cor of the s hf nw qr se qr of said sec 27; thence south to the sw cor of the nw qr se qr of said sec 27; thence west to the nw cor of the se qr se qr of sec 28, t 10 n, r 6 e; thence south to the sw cor of the se qr se qr of said sec 28; thence west to the nw cor of the ne qr of sec 33, t 10 n, r 6 e; thence south 740 feet; thence west 800 feet; thence north 740 feet to the north line of said sec 33; thence west to the nw cor of said sec 33; thence south to the sw cor of said sec 33; thence east to the se cor of said sec 33; thence north to the ne cor of the s hf se qr of said sec 33; thence west to the nw cor of said s hf se qr; thence north to a point 653 feet south of the center of said sec 33; thence west $660\frac{1}{2}$ feet; thence north to the north line of the sw qr; thence east to the center of said sec 33; thence north to the sw cor of the nw qr ne qr; thence east to the se cor of said nw qr ne qr; thence north to the ne cor of said nw qr ne qr of said sec 33; thence east to the nw cor of the ne qr nw qr of sec 34, t 10, r 6 e; thence south to the sw cor of the nw qr ne qr nw qr sec 34, t 10 n, r 6 e of the sixth P. M.; thence east to the se cor of said nw qr ne qr nw qr; thence north to the sw cor of the n hf ne qr ne qr nw qr; thence east to the se cor of the n hf of the ne qr ne qr nw qr; thence north to the ne cor of the nw qr of said sec 34; thence east to the se cor of said sec 27; thence south to the sw cor of nw qr nw qr of sec 35, t 10 n, r 6 e; thence east to the se cor of said nw qr of the nw qr; thence

north to the ne cor of said nw qr nw qr; thence east to nw cor of the ne qr; thence south to the center of said sec 35; thence west 376½ feet to the easterly line of the right of way of the Nebraska railway; thence southeasterly along said line of right of way to the west line of se qr of said sec 35; thence south to the center of sec 2, t 9, r 6 e; thence east to the westerly line of the right of way of the Nebraska railway; thence northwesterly along said line of right of way to the east line of Ninth street in Fairmont; thence north to the center of High street in Fairmont; thence east to the east line of lot 20 in Fairmont; thence south to the sw cor of lot 21 in Fairmont; thence east to the se cor of lot 22 in Fairmont; thence south to the sw cor of the nw qr of sec 1, t 9, r 6 e; thence east to the se cor of the sw qr nw qr; thence north to the ne cor of the sw qr nw qr; thence west to the se cor of w hf nw qr nw qr; thence north to the ne cor of the w hf nw qr nw qr of said sec 1; thence east to the se cor of lot 13 in the sw qr of sec 36, t 10, r 6 e; thence north to the ne cor of said lot 13; thence west to the nw cor of lot 12 in the sw qr; thence south to the sw cor of said sec 36; thence west to the sw cor of the se qr se qr of sec 35, t 10, r 6 e; thence north to the nw cor of the se qr se qr of said sec 35; thence east to the se cor of lot 5 in the se qr of sec 36, t 10, r 6 e; thence north to the nw cor of the ne qr se qr; thence east to the ne cor of the se qr of said sec 36; thence south to the sw cor of the nw qr sw qr of sec 31, t 10, r 7 e; thence east to the se cor of said nw qr sw qr; thence north to the ne cor of said nw qr sw qr; thence west to the se cor of lot 14 in Perkins' subdivision; thence north to the ne cor of lot 11 in Perkins' subdivision; thence east to the se cor of the nw nw qr of said sec 31; thence north to ne cor of said nw qr nw qr; thence west to the nw cor of said sec 31; thence north to the sw cor of nw qr sw qr of sec 30, t 10, r 7 e; thence east to the nw cor of Davis' second addition; thence south to the sw cor of said Davis' second addition; thence east to the se cor of Davis' second addition; thence north to the ne cor of Davis' second addition; thence west to the se cor of Capital View addition; thence north to the ne cor of Capital View addition; thence west to the nw corner of said nw qr sw qr sec 30; thence north to the sw cor of the nw qr of the nw qr of said sec 30; thence east to the nw cor of the e hf of the ne qr sw qr nw qr; thence south to the sw cor of said e hf ne qr sw qr nw qr; thence east to the se cor of said e hf ne qr sw qr nw qr; thence north to the sw cor of the nw qr ne qr nw qr; thence east

to the se cor of said nw qr ne qr nw qr; thence north to the ne cor of said nw qr ne qr nw qr of said sec 30; thence east to the se cor of the w hf se qr of sec 19, t 10, r 7 e; thence north to the ne cor of sw qr ne qr; thence west to the nw cor of the sw qr ne qr; thence north to the north line of the right of way of the B. & M. R. R. Co. in Nebraska; thence southwesterly along said north line of right of way to the west line of sec 18, t 10, r 7 e; thence south to the sw cor of nw qr of said sec 18; thence west to the north line of the right of way of the B. & M. R. R. in Nebraska; thence southwesterly along said north line of the right of way to the south line of sec 13, t 10 n, r 6 e; thence west to the sw cor of said sec 13; thence north to the sw cor of the n hf of the nw qr of said sec 13; thence east to the se cor of the n hf nw qr of said sec; thence south to the center of said sec 13; thence east to the se cor of the ne qr of said sec 13; thence north to the ne cor of said section 13; thence west to the east line of Stratton's addition; thence north along the east line of Stratton's addition to the ne cor; thence west to the nw cor of said Stratton's addition; thence north to the ne cor of the s hf of the sw qr of sec 1, t 10 n, r 6 e; thence west to the nw cor of the s hf of the sw qr; thence south to the sw cor of said sec 1; thence east to the nw cor of the e hf of the nw qr of sec 12, t 10 n, 6 e; thence south to the sw cor of said e hf nw qr sec 12; thence west to the sw cor of the nw qr of sec 12, t 10 n, 6 e; thence north to the nw cor of said sec 12; thence west to the nw cor of ne qr of sec 11, t 10 n, r 6 e; thence south to the center of sec 14, t 10 n, r 6 e; thence east to the nw cor of the e hf se qr of said sec; thence south to the sw cor of the e hf se qr of said sec 14; thence west to the nw cor of the ne qr of sec 23, t 10, r 6 e; thence south to the center of said sec 23; thence west to the place of beginning.

§ 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating and licensing the operating of coaches, cabs, carts, and other vehicles for hire in the city of Lincoln, fixing the rates of hire to be paid and charged therefor, requiring the posting in all vehicles used for conveyance of passengers a card containing name of owner of vehicle, number of license, and sections 13 and 15 of this ordinance, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XIV.

Coaches, Cabs, and Carts.

745. § 1. No person or persons shall hire out, keep, or use for hire or cause to be kept or used for hire, for the carrying or conveying of persons within the city of Lincoln, any hackney coach, cab, coach, omnibus, or other vehicle or vehicles, carriage or carriages, of any description or name whatever, without a license so to do.

746. § 2. The Mayor is hereby authorized to license, under his hand, attested by the Clerk and the seal of the city, any person or persons, residents of the city, and being the owner or owners of any or either of the said vehicles, or carriages, to keep and use for hire and the conveyance of persons, any or either of said carriages or vehicles, upon every such owner executing a bond to the city of Lincoln, as hereinafter provided, and paying a license fee hereinafter fixed.

747. § 3. Before any license shall issue to any person to keep or use for hire, or drive, any hackney coach, cab, or vehicle, he shall execute a bond to said city in the sum of one hundred dollars, with sureties to be approved by the Mayor, conditioned for the faithful observance of all ordinances of the city relating to or regulating hackmen and drivers, and all others pursuing like occupations.

748. § 4. It shall be the duty of the Clerk to keep a register of the names of the persons to whom each license is granted, the date when issued, the number of the license, and the description of the vehicle licensed. All licenses granted under this ordinance, unless sooner revoked, shall continue in force for one year.

749. § 5. Every person so licensed shall forthwith cause the

name of the owner and the number of his license to be plainly painted in letters at least one and a half inches in length, in a conspicuous place on the outside of each side of the vehicle, and shall keep the same plain and distinct at all times when used, during the continuance of such license; but upon the expiration of said license (unless renewed) such person shall immediately cause the said name and number to be erased from said vehicle, and shall not allow said vehicle to be used with said name and number thereon.

750. § 6. Every hackney coach, cab, livery carriage, or other vehicle, for the conveyance of persons, (except omnibuses,) when driven or used for hire, or waiting or standing for use, on any public street or place in the night time, shall have fixed upon some conspicuous part of the outside thereof, a lighted lamp, with plain glass front and sides, with the number of the license painted on the side of each lamp, in distinct and legible figures, at least one and a half inches in length. And every such vehicle, which has a door or doors to the same, shall have a knob or handle upon the inside of such door or doors, by which said door or doors may be easily opened from the inside of such vehicle. All omnibuses shall, when running in the night time, have fixed in some conspicuous place in front thereof, so as to be distinctly seen from the inside and outside, a lighted lamp, with the number of license distinctly painted thereon in figures of one inch and a half in length.

751. § 7. All licenses granted under this ordinance shall designate the vehicle by number or name, and the owner or owners, driver or drivers, shall be severally liable for each and every violation of this ordinance by such owner or owners, or their driver or drivers.

752. § 8. Every driver of any such vehicle shall wear in a conspicuous place, on the outside of the breast of the coat, a metal badge, having engraved thereon the number of his license and the kind of vehicle.

753. § 9. If the owner of any vehicle, licensed as aforesaid, shall sell or dispose of the same before the expiration of the

license therefor, he shall, within five days, notify the Mayor of the said transfer, and the Mayor may transfer such license on the payment of one dollar.

754. § 10. Any person who shall keep or drive any hackney coach, cab, or other vehicle, for the conveyance of persons from place to place, within the city of Lincoln, for hire or reward, without being licensed as aforesaid, shall be liable to a fine of not more than fifty dollars for each and every offense.

755. § 11. There shall be charged and paid to the City Treasurer, for the use of the city, on issuing the said licenses, by the parties to whom they may be granted, the following sums:

1. For all omnibuses, coaches, carriages, and other vehicles, drawn by two or more horses, or other animals, and occupying any public stand, or that shall run for the conveyance of passengers, for hire or reward, within the city, shall be charged for license, each, the sum of ten dollars per annum.

2. For all such vehicles, drawn by one horse, shall be charged for license, each, the sum of ten dollars: *Provided*, That nothing contained in this article shall be construed to include livery-stable keepers in the ordinary use of teams and carriages.

756. § 12. Any person may procure a license of the Mayor for a wheeled vehicle to carry passengers during the State Fair, in which the license is issued, by paying to the City Treasurer the sum of ten dollars. Such license shall not entitle him to haul any passengers within the city limits, excepting to and from the State Fair.

757. § 13. The prices, or rates of fare, to be asked or demanded by the owners or drivers of hackney coaches, cabs, or other vehicles, for the conveyance of passengers for hire, shall be as follows: Where no other or different bargain is made in advance, for conveying one passenger from any railroad depot, or regular hack stand, or the office of any hack line, to any point within the city, not exceeding twelve blocks distant, twenty-five cents; for each additional twelve blocks, or parts thereof, within the city, twenty-five cents additional. Where passengers are conveyed from any place other than a regular hack stand, office

or hack line, or railroad depot, the fare shall, for each passenger, be twenty-five cents, for any distance not exceeding twelve blocks, and twenty-five cents for each additional twelve blocks, or part thereof, and in computing the fare in such cases the whole distance traveled, from the hack stand or office from which the hack is ordered, to the place to which such passenger is conveyed, shall be included. For each piece of baggage belonging to passengers, other than a satchel or package carried in the hand, the rates above mentioned may be charged. For conveying children between five and twelve years of age, one-half the above rates may be charged, but every person paying full fare may have one child under five years of age carried free; *Provided*, That between the hours of ten o'clock P. M. and five o'clock A. M. of the following morning, double the above rates may be charged; And *Provided further*, That in case one or two persons shall use any such carriage for their own exclusive benefit, the owner or driver thereof may demand and receive therefor double fare. For the use of any such carriage by the hour, with one or more passengers, with the privilege of going from place to place, and stopping as often as may be required, for the first hour, two dollars, for each additional hour or part of an hour, one dollar. In all cases, when the hiring of a hackney coach, cab, or other vehicle, for the conveyance of passengers, is not at the time thereof specified to be by the hour, it shall be deemed to be by the block; and for any detention exceeding five minutes, when so working by the block, the owner or driver may demand pay at the rate of one dollar per hour.

758. § 14. The owner or driver of any licensed wheeled vehicle may demand and require in advance, for the conveyance of each passenger from any point within the city limits, to or into the State Fair Grounds, or return, twenty-five cents, and no more: *Provided, however*, That in case less than four persons shall desire to use any vehicle as a public coach for their own exclusive benefit or accommodation, to or from the Fair Grounds, the owner or driver thereof may demand and receive therefor the sum of one dollar: *Provided*, That the rates fixed in this section shall

not include persons taken from or left at their residences, or other place, by special order or request, but the fare in such case shall be regulated by the block, as provided in the preceding section.

759. § 15. Whenever any package, or article of baggage, or goods of any kind, shall be left in or on any hackney coach, cab, omnibus, carriage, dray, cart, or wagon, or other licensed vehicle, for the conveyance of passengers, goods, or baggage; or when any such package shall be left in the custody of the driver of any such vehicle, such driver shall, upon the discovery of such package or article, forthwith deliver the same at the office of his employer; or in case such driver be the owner of any such vehicle, he shall deliver the said package, or goods, or other article, at the police station of the city, into the hands of the officer in charge, unless such package or article shall sooner be delivered to the owner thereof, or the order of such owner. Any neglect or refusal on the part of such driver to comply with the provisions hereof, and any violation of any clause or provision of this section, shall subject such driver to a fine of not more than ten dollars.

760. § 16. There shall be fixed in every hackney coach, cab, or other vehicle for the conveyance of passengers for hire, in such manner as can be conveniently read by any person riding in the same, a card containing the name of the owner of said vehicle, the number of his license, and the whole of sections 13 and 15 of this ordinance, printed in plain legible characters, under penalty of a fine of not less than five dollars for each and every violation thereof, and revocation of license. Such cards shall be printed and furnished by the City Clerk at the expense of the city.

761. § 17. All disputes as to prices or distance shall be settled by the Chief of Police or other member of the police force.

762. § 18. The owner or driver of any hackney coach, cab, or other vehicle for the conveyance of passengers, shall not demand or be entitled to receive any pay for the conveyance of any passenger unless the number of the carriage and rates of fare be conspicuously fixed in and on said vehicle, as herein provided by section 16 of this ordinance.

763. § 19. The owner or driver of any coach or cab, who may have demanded and received any fare in excess of what is provided for in this ordinance, shall return the excess received and be subject to a fine of not more than five dollars.

764. § 20. Every licensed owner or driver of any hackney coach or cab shall have the right to demand his fare of the person or persons employing him on entering his coach or cab, and may refuse to convey any person who will not comply with said demand.

765. § 21. Every owner or driver, or person having charge of any hackney coach or cab, shall, upon being requested so to do, give to any person or persons the number of his coach or cab, the names of the owner and driver thereof, and their place of abode and stable.

766. § 22. Every cart, truck, wagon, dray, or other vehicle, drawn by one or more horses, or other animals, which shall be kept, used, driven, or employed, for the transportation or conveyance of goods, wares, merchandise, or other articles, from place to place within the city of Lincoln, for hire, wages, or pay for such transportation, shall be deemed a "public cart" within the meaning of this ordinance, and every person who shall set up, or keep, use, or employ, any such public cart without first obtaining license therefor from the Mayor of said city as is hereinafter provided, shall be deemed guilty of a violation of this ordinance.

767. § 23. The City Treasurer shall require and receive for the use of the city from every person to whom the Mayor may grant a license, the following charges :

1. For all drays, carts, wagons, and other vehicles, drawn by two or more horses or other animals, shall be charged for license, each, the sum of ten dollars per annum.

2. For all drays, carts, wagons, and other vehicles drawn by one horse or other animal, shall be charged for license, each, the sum of five dollars per annum.

768. § 24. Every public cart shall have fairly painted on some conspicuous place on each side, the name of the owner and the number of the license therefor, in plain letters and figures at

least two and a half inches long, and the driving or using of a public cart without its being so lettered and numbered, shall be deemed a violation of this ordinance.

769. § 25. The owner or driver of any licensed dray or other licensed vehicle shall be entitled to demand and receive the sum of twenty-five cents for each load of not over three hundred pounds, and fifty cents for each load of over three hundred pounds, transported not more than one-half mile, and in addition to the rates aforesaid, for each load transported over one-half mile, ten cents additional for each half mile or fraction thereof necessarily traveled beyond the first half mile of haul; and for each load of household goods moved, where the drayman loads on and takes off the load of goods, amounting to over 1,000 pounds, the sum of seventy-five cents may be charged for each half mile or part thereof.

770. § 26. Every public cart-man shall be entitled to be paid the legal rate allowed and provided in this ordinance immediately upon the carting or transportation of any article or thing, and it shall be lawful for any such public cart-man to retain any article or thing so carted or transported by him for which he is not so paid his cartage, and to convey the same without delay to the police station, and he shall be entitled to the lawful rate or pay for the so conveying. All disputes or disagreements as to distance or rates of pay between public cart-men or public porters and persons employing them or owing for cartage or transportation, shall be determined by the Chief of Police, or any policeman.

771. § 27. No licensed owner or driver herein mentioned shall refuse to give his name on request of any person, or impose upon any person in any manner or form, or strike, threaten, insult, or otherwise abuse or ill-treat, any passenger, under any pretense whatever, or ask, take, or extort, from any person, any greater price or rate of fare than herein established; and to do so shall be deemed a violation of this ordinance.

772. § 28. No driver, agent, servant, owner, or owners, of any hackney coach, cab, carriage, or other vehicle herein referred to, shall act as public porter or runner without a license for that

purpose, or solicit passengers, except for such vehicle as he may be licensed for; and no such driver shall engage in racing with another, or drive faster than a moderate trot while passing in, along, or through any of the public streets in the city; and all such vehicles shall keep to the right when in motion and passing along any of such streets.

773. § 29. It shall be unlawful for any driver of any licensed hack, coach, or public dray, to be intoxicated while on duty as such driver, and it shall be the duty of the Chief of Police or any policeman to at once remove such driver from his vehicle.

774. § 30. That the superintendent or depot master of each railroad depot in the city of Lincoln is hereby authorized and empowered to arrange, regulate, and locate the stands or grounds to be occupied by the omnibuses, hacks, and baggage wagons, of the said city of Lincoln at said depots respectively, and that the said stands, grounds, and locations, so fixed and determined by the said superintendents or depot masters respectively, shall be the stands, grounds, and location, to be occupied by said omnibuses, hacks, and baggage wagons.

775. § 31. It shall be unlawful for any of said omnibuses, hacks, and baggage wagons; to occupy any stand, grounds, or locations, adjacent to said depot other than those designated by the said superintendents, and the driver of any such omnibus or omnibuses, hack or hacks, baggage wagon or baggage wagons, who shall occupy any other or different stand, ground, or location, than those determined upon and designated by the said superintendents, or depot masters, or any person violating any of the provisions of this section, shall, on conviction thereof, be fined in any sum not exceeding ten dollars for each offense, and pay the costs of prosecution, and shall be committed until the same are paid.

776. § 32. It shall be unlawful for any drayman or coachman, or other person having either dray or coach in charge within the limits of said city, to drive over or upon any sidewalk, or to obstruct or hinder the travel upon the same, or to obstruct travel over any cross-walk or street in said city, except

such time as shall be actually necessary to receive and discharge freight or passengers; or, while awaiting employment, to approach nearer than fifteen feet to any cross-walk. It shall also be unlawful for the owner or driver of any licensed coach within said city to purposely delay, annoy, insult, or impose in any manner upon, any passenger.

777. § 33. That no public coach shall be permitted to remain in front of any hotel or other business house for a longer period than fifteen minutes to receive and unload passengers, or for any other purpose, unless with the consent of the proprietor, owner, or lessee, of such hotel or business house: *Providing, however,* This shall not apply to railroad depots.

778. § 34. Any person who shall violate any clause or provision of any section of this ordinance, or who shall neglect or fail to comply with any or either of the requirements thereof, shall, on conviction, excepting as is herein otherwise provided, be fined in any sum not more than one hundred dollars.

§ 35. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 36. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, Mayor.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE regulating the sale of coal in the city of Lincoln, establishing a standard of weight to be used in the sale thereof, providing for weighing of coal on city scales under certain circumstances, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XV.

Coal.

779. § 1. In the sale of coal, the hundred weight shall consist of one hundred pounds avoirdupois, and twenty such hundred weight shall constitute a ton.

780. § 2. Any person or persons engaged in the business of selling coal in the city of Lincoln, to be delivered in said city, shall deliver to the purchaser at the time of the delivery of the

coal purchased, a certificate showing the weight of the coal so delivered, and the weight of the wagon or cart.

781. § 3. Any person violating any of the provisions of this ordinance, or who shall deliver to any purchaser a less quantity than two thousand pounds of coal for each ton purchased, (or a proportionate amount for any part of a ton,) or who shall practice any fraud or deceit in the sale or delivery of any coal purchased, to be delivered in said city as aforesaid, shall, upon conviction, be fined in a sum of not less than twenty dollars, nor more than fifty dollars, for each offense; and it is hereby made the duty of every driver of any coal wagon or cart to drive said wagon or cart upon the city scales and have the same weighed with and without the load, whenever requested by the purchaser, the expense of said weighing to be paid by said purchaser if the weights in said certificate are found correct, otherwise to be paid by the dealer.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, Mayor.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE regulating the carrying of concealed weapons in the city of Lincoln, prohibiting the carrying of the same save under certain conditions, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XVI.

Concealed Weapons.

782. § 1. It shall be unlawful for any person within said city to carry about the person any concealed pistol, revolver, dirk, bowie knife, billy, sling-shot, metal knuckles, or other dangerous or deadly weapons of any kind, excepting only officers of the law in the discharge of their duties; and any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty hereinafter provided.

783. § 2. Any such weapon or weapons, duly adjudged by the Police Judge of said city to have been worn or carried by any person, in violation of the first section of this ordinance, shall be so forfeited or confiscated to the said city of Lincoln, and shall be so adjudged.

784. § 3. Any policeman of the city of Lincoln may within the limits of said city without warrant arrest any person or persons whom such policeman may find in the act of carrying or wearing under their clothes or concealed about their person, any pistol, or revolver, slung shot, or cross-knuckles, or knuckles of lead, brass or other metal, or bowie knife, dirk knife, or dirk, or dagger, or any other dangerous or deadly weapon, and detain him, her, or them, in the city jail until a warrant can be procured.

785. § 4. Any person or persons violating any of the provisions of the first section of this ordinance, shall, upon conviction, pay a fine of not more than one hundred dollars, and be committed until such fine and costs are paid.

786. § 5. The prohibitions of this ordinance shall not apply to the officers or members of the police force of the city when on duty, nor to any officer of any court whose duty may be to serve warrants or to make arrests, nor to persons whose business or occupation may seem to require the carrying of weapons for their protection, and who shall have obtained from the Mayor a license so to do.

787. § 6. The Mayor may grant to so many and such persons as he may think proper, licenses to carry concealed weapons, and may revoke any and all of such licenses at his pleasure. Every such license shall state the name, age, occupation, and residence, of the person to whom granted, and shall be good for one year. A fee of fifty cents shall be paid therefor to the City Treasurer, and by him placed in the police fund.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to fix the number of hours to constitute a day's labor for mechanics and laborers in the employ of the city of Lincoln, or engaged upon works of public improvement in and for said city.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XVII.

Day Labor.

788. § 1. That eight hours shall constitute a day's labor for mechanics and laborers doing work for the city of Lincoln.

789. § 2. That hereafter when any work is done for the city of Lincoln under or by virtue of any contract with any person or persons, company or companies, or corporations for said city of Lincoln, there shall be inserted in said contract a provision, "That for all work done under said contract, eight hours shall constitute a day's labor."

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to provide for registration of deaths in the city of Lincoln, fixing the duties of physicians and professional advisers in regard thereto, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XVIII.

Deaths.

790. § 1. Every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person in this city, shall make and keep a registry of such death, stating the cause thereof, and specifying the date, hour, place, street and number, of such death.

791. § 2. It is hereby made the duty of every person mentioned in the last preceding section (required to make or keep such registry) to file with the health officer a written report, by him signed, of all the facts in said register required to be entered

during the first week of the months of January, April, July, and October, of each year, of all entries made during the preceding three months.

792. § 3. Any person who shall fail to register as required by this ordinance, or who shall fail to make the report herein required within one week after the same is required to be made, shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE levying a tax upon all animals of the dog kind in the city of Lincoln, providing for the collection of the same, regulating the running at large of said animals in said city, establishing a public pound, providing for the impounding of such animals at certain times and under certain circumstances, providing for execution of such animals under certain circumstances, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XIX.

Dogs.

793. § 1. That there be and is hereby levied upon each animal of the dog kind over six months of age in the city of Lincoln an annual tax of one dollar (\$1.00), provided the same is voluntarily paid by owner, but if dog is brought to the pound the tax shall be one dollar and fifty cents (\$1.50), to be placed in special police fund. Said tax shall become due upon the first day of January of each year and delinquent upon the first day of February of each year. And it is hereby made the duty of every person owning or harboring any animal of the dog kind within the city of Lincoln to report the same to the City Treasurer and to have the same listed and numbered.

794. § 2. Upon the payment of said tax the Treasurer shall issue to the person paying the same a metal check for each dog upon which tax is paid, which check shall be marked and num-

bered with the year for which said tax is paid and the number corresponding with the number of such dog on the tax list.

795. § 3. It shall be unlawful for any person owning or harboring any animal of the dog kind, to suffer or permit such animal to run at large without a substantial collar of leather or other durable material, to which shall be attached the check herein above referred to; and it shall be unlawful for any such person to suffer or permit such animal to wear any other check than the identical one issued for it by the City Treasurer. In case of loss a duplicate check will be issued by the Treasurer at the expense of the applicant, not to exceed twenty-five cents.

796. § 4. That it shall be unlawful for any person to remove either the collar or check from any animal of the dog kind, except upon consent or order of owner or person paying said tax. And it shall be unlawful for any person to steal any such animal upon which such tax has been paid, to kill any such animal without the consent of the owner, unless such animal be suffering from or has been exposed to hydrophobia.

797. § 5. The Mayor shall provide a pound, wherein he shall cause to be impounded all animals of the dog kind that may at any time hereafter be found running at large without wearing the check herein above referred to. The Mayor may when necessary employ a poundmaster, with authority to arrest under the provisions of this ordinance, or, when convenient, designate and detail some one of the police to take charge of the pound, with like authority.

798. § 6. It shall be lawful only for such persons as shall be authorized by the Mayor to take up and arrest any and all animals of the dog kind that may be found running at large, within said city, without wearing the check herein described, or upon which the said tax has not been paid; *Provided*, That the animal is taken forthwith to the pound; and for each animal over six months old so arrested and delivered at the pound, the party delivering it shall be entitled to receive the sum of twenty-five cents, payable by the City Treasurer.

799. § 7. No animal of the dog kind shall be allowed or

permitted to run at large, within the limits of the city of Lincoln, between the first day of June and the first day of October of each year, unless the same be securely muzzled, with a wire muzzle, fastened on with leather strap or chain. And it shall be lawful for any policeman or other person authorized by the Mayor to seize and capture any such unmuzzled dog, whether the tax on said dog be paid or not, and take the same to the pound, to be disposed of as provided by section 8 of this ordinance.

800. § 8. That all animals so impounded may be released from the pound by the owner making demand therefor from the poundmaster or other person having charge thereof, proving ownership and paying the tax herein levied, together with a penalty of fifty cents additional. If not called for or claimed within forty-eight hours after being received in the pound, such animal shall be put to death; or if the animal is worthy and valuable, it shall be sold at public auction to the highest bidder at 2 o'clock P. M. of the day next succeeding the forty-eight hour term: *Provided*, That no animal shall be sold for less than the amount of the tax and penalty.

801. § 9. All moneys received by the poundmaster, or person having charge thereof, shall be paid to the City Treasurer, and by him placed in special police fund, and the poundmaster, or such other person, shall make monthly reports under oath to the Council of all animals so received by him, the disposition thereof, and of all moneys received, and of such other matters as the Council may require. The provisions of this article shall not apply to dogs owned by non-residents remaining temporarily or passing through the city, or to dogs brought into this city for exhibition.

802. § 10. Any person who has paid a dog tax under the existing ordinances of the city shall not be required to pay any further tax for the same dog until January 1, 1896, and the dog so paid for shall receive the same protection under this ordinance as it would be entitled to under the ordinance hereby repealed. All other provisions of this ordinance shall apply the same to such dog, or dogs taxed under this ordinance.

803. § 11. Any person who shall own or harbor any animal of the dog kind in the city of Lincoln after the first day of February each year without paying the tax as herein provided, or who shall violate any of the provisions of this ordinance, shall, upon conviction, be fined in any sum not exceeding one hundred dollars, and stand committed until such fine and the costs of prosecution are paid.

§ 12. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 13. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE providing for elections in the city of Lincoln, regulating the manner of holding the same, defining the duties of city officers in regard thereto, creating election offices and defining duties of election officers, providing for contests and regulating the same, providing for forfeiting right to an office for certain acts and omissions, making an offense of offering or attempting to vote at any general or special election unless possessed of necessary qualifications, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XX.

Elections.

804. § 1. All elections held for city officers or city purposes in the city of Lincoln, shall be held at such place or places in each ward as the Mayor and Council may by resolution direct, and according to the regulations prescribed by the laws of the state governing registration and elections, and the provisions of this ordinance.

805. § 2. All city officers, mentioned in the charter of the city of Lincoln as elective officers, shall be elected by the qualified voters of the said city of Lincoln, at an election to be held for that purpose on the first Tuesday in April of each year, which election shall be known as the general municipal election.

806. § 3. The Mayor shall cause a notice of the general municipal election, specifying the time and respective voting places thereof, to be published in some newspaper published in

and of general circulation in the city of Lincoln, at least ten days before the time of such election.

807. § 4. There shall be appointed by the Mayor, with the assent of the Council, previous to any election, three judges and two clerks of election, for each ward or voting precinct within the city, who shall be citizens of the United States and of the state of Nebraska, and qualified voters in the ward or precinct for which they are respectively appointed.

808. § 5. If any person so appointed fail to be present at the place of election at the time of opening the polls, or, being present, declines serving, a majority of the qualified voters then and there present may elect a qualified person to act as judge or clerk of that election.

809. § 6. The judges and clerks of election shall, before entering upon their duties, take the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the constitution of the United States, the constitution of the state of Nebraska, and that I will faithfully and impartially perform the duties of the office of according to law, and to the best of my ability. So help me God," which oath shall be administered by some officer authorized to administer oaths. Any judge or clerk, after being sworn, may administer the oath to the other judges and clerks. No officer of the city, or candidate for any city office, shall be judge or clerk of any city election.

810. § 7. The City Clerk shall, at least three days before the day set for holding an election, cause notice of their appointment to be given to the judges and clerks. He shall deliver to one of the judges or clerks in each voting precinct, before 9 o'clock A. M. of the day of such election, the necessary ballot boxes, with poll books and all necessary blanks.

811. § 8. The City Clerk shall prepare and furnish the required poll books and blanks.

812. § 9. All elections shall be by ballot and continue one day only. The polls shall be opened at nine o'clock in the morning and be closed at seven o'clock in the evening, and shall not be closed during that time under any pretext whatsoever.

813. § 10. The judges and clerks shall, at the appointed hour for opening the polls, proceed to the respective voting places in the city, and in the presence of the electors present, immediately before the opening of the polls, shall open the ballot box for inspection, and see that no ballots are therein contained, and immediately thereafter said ballot box shall be closed and securely locked, and one of the judges shall then proclaim that the polls are open. The ballot box shall not be removed from the view of the electors present until the polls are closed and all the votes shall have been counted and canvassed.

814. § 11. The judges and clerks shall, in all things appertaining to the receiving and counting of and certifying to the votes cast, be governed and controlled by the general statutes of the state of Nebraska relating to elections and registration of voters, and all ordinances of this city relating to the same subject.

815. § 12. At the close of the polls the judges shall forthwith proceed to ascertain and certify the result of the election in the presence of as many of the candidates or other persons of all parties as can be conveniently accommodated in the room, not less than ten voters, if so many desire to be present.

816. § 13. When all the votes cast at such election shall have been examined as required by law, and counted, the clerks of election shall write down in ink on their poll books the name of every person voted for, and the title of the office for which such person received any vote or votes, and the number of votes received by each person for said offices, *which number shall be expressed in words at full length.* The judges of election shall then inclose one of the poll books, full and complete, in an envelope or cover, and seal the same, and one of said judges shall, within two days after the closing of the polls, deliver said poll book to the Mayor only, in the presence of the City Council, at a regular meeting of said Council, if there be such regular meeting within the two days aforesaid, and if not, then at a special meeting of said Council to be called for that purpose. If there be not a quorum present at such meeting, then said judge of election shall deliver said poll book, sealed up as aforesaid, to the Mayor, in

the presence of the Council, at the next regular meeting thereof. Said judges of election shall in the meantime, having first replaced all of said ballots in the ballot box and securely locked and sealed the same, deliver the same with the ballots therein contained to the City Clerk, and shall deposit the other poll book with one of their own number, to be selected by them for that purpose, which poll book shall be kept by him for a period of six months, subject to the inspection of any elector who may wish to examine the same.

817. § 14. That upon the receipt of the returns of election from each ward of said city of Lincoln, delivered to him as aforesaid, the Mayor, together with the City Clerk and two members of the City Council, and in the presence of the Council and such qualified electors as may be present, shall open said returns and make complete abstracts of all the votes cast at said election for each of the several officers, which abstracts shall be recorded in the record of the proceedings of the City Council, by the City Clerk.

818. § 15. After such abstract of votes is made, and the votes counted and compared, the person or persons having the highest number of votes for each of the offices of Mayor, Clerk, Treasurer, Police Judge, Water Commissioner, City Attorney, City Engineer, Member of Excise Board, Cemetery Trustee, Councilmen from their respective wards, and such members of the Board of Education as are required by law for the school district of Lincoln, voted for at such election, shall be declared duly elected, and the Mayor and City Clerk shall issue certificates accordingly, and all persons neglecting to file the bond required by the city ordinances and take and subscribe to the oath of office within ten days from receiving notice of their election, shall be deemed to have refused to accept such office.

819. § 16. Any judge or clerk of election who shall have commenced serving as such, and shall fail to perform any of the duties enjoined on him by law or ordinance, except as hereinafter provided, shall be fined in any sum not more than one hundred dollars.

820. § 17. If any judge or clerk of election, after entering upon the discharge of his duties, shall, by sickness or other personal disability, be rendered unable to continue to act, another may be appointed in his place; if a judge, by a majority of the qualified voters present; if a clerk, by the judges. In such case the person substituted shall make oath as hereinbefore required, and the fact of substitution and the time when it took place shall be noted in the poll books by the clerks.

821. § 18. No judge or clerk of election shall examine or suffer any one to examine the ballot of any voter handed in to be deposited in the ballot box, before placing the same therein, or permit any one but the voter handing the same in, or one of the judges, to handle the same, or allow any person but one of the judges to handle the ballot box, under penalty of a fine of not less than twenty-five dollars nor more than one hundred dollars.

822. § 19. The judges shall have power to preserve order at the polls, and to command the officer in attendance to arrest and take before the Police Judge any person who shall, by violent and turbulent conduct, or in any other manner, interfere with, hinder, obstruct, disturb, or delay, the judges or clerks in the discharge of their duties, or any voter exercising the privilege of voting; and for any such offense the offender shall be liable to a fine of not more than fifty dollars.

823. § 20. It shall be the duty of the Chief of Police to station suitable and a sufficient number of police officers at each place of voting, for the purpose of preserving order and decorum and to enforce the lawful commands of the judges of election.

824. § 21. The provisions of all laws and ordinances in regard to general elections shall, as far as practicable, govern special elections. The registration lists of the general election next preceding any special election shall be furnished to the judges at such special election to be used as in the case of a general election.

825. § 22. That whenever any candidate for any office, or any elector, chooses to contest the validity of an election of any

officer, he shall, within two days after the closing of the polls give notice in writing to the person whose election he intends to contest of his intention so to do, a copy of which notice shall be filed with the Mayor or City Clerk before the time fixed for the canvass of the returns as hereinbefore provided for; and the said Council shall, immediately after the canvass of the returns, or at a subsequent time to be fixed by them, and before the result of said canvass is declared, proceed to hear the contestants, as hereinbefore provided. All such contests before the City Council shall be governed by and conducted in accordance with the general statutes of the state of Nebraska relating to contests of election, and when the Mayor and Council shall receive notice of any contest, they, together with the City Clerk, shall withhold the certificate of election until the matter shall be finally determined by the Council, when the certificate of election shall be issued in accordance therewith.

826. § 23. That whenever it shall appear by a canvass of the returns of the votes cast at any city election that no choice has been had for an elective office, by reason of a tie vote between any of the candidates for any of the offices aforesaid, it shall be the duty of the Council to call a special election for the purpose of electing some suitable and proper person to fill the office. When such tie vote exists said notice calling such special election shall be published in two of the newspapers published in the city, and such election to be held in not less than ten nor more than thirty days from the date of the publication of said notice.

827. § 24. Any person who shall vote or offer or attempt to vote at any general or special election, not possessing the necessary qualifications, shall be fined in any sum not exceeding one hundred dollars.

§ 25. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 26. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE creating election precincts in the several wards of the city of Lincoln, defining their boundaries, and repealing an ordinance entitled "An ordinance creating election precincts in their several wards of the city of Lincoln, defining their boundaries," approved March 20, 1891.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXI.

Election Precincts.

828. § 1. The First ward of this city shall constitute two (2) election precincts, as follows:

Precinct (1) one, or A, shall include all that part of the First ward between the center of N street on the south, the center of Eleventh street on the east, the center of R street on the north, and the city limits on the west.

Precinct (2) two, or B, shall include all of said ward north of R street.

829. § 2. The Second ward of this city shall constitute two (2) election precincts, as follows:

Precinct (1) one, or A, shall include all that part of the Second ward between the center of N street on the north, the center of Eleventh street on the east, the center of J street on the south, and on the west by the city limits.

Precinct (2) two, or B, shall include all that part of said ward south of J street.

830. § 3. The Third ward of this city shall constitute four (4) election precincts, as follows:

Precinct (1) one, or A, shall include all that part of the Third ward described by metes and bounds as follows: Commencing at the center of O and Eleventh streets, running thence east on O street to the center of Thirteenth street, thence north on the center of Thirteenth street to the center of V street, thence west to a point opposite the center of University avenue, thence north on said University avenue to the north line of said ward, thence west to the center line of Twelfth street, thence south to the center line of R street, thence west to the center of Eleventh street, thence south to the place of beginning.

Precinct (2) two, or B, shall include all that part of the Third

ward described by metes and bounds as follows: Commencing at a center line of O and Fifteenth streets, thence north on the center line of said Fifteenth street to the north line of P street, thence north on line between lots 59 and 60, and 39 and 40, in S. W. Little's subdivision, to the center line of Q street, thence north on the west line of lot 33 to north line of R street, thence north on the west line of lot 27 to north line of S street, thence west to the east line of Fifteenth street north of S street, thence north on the east line of Fifteenth street and north on line between lots 15 and 16 and north on east line of 12, all of the aforesaid lots being in S. W. Little's subdivision, to center line of Vine street, thence east to center line of Fifteenth street north of Vine, thence north to north side of W street, thence north on line between lots 14 and 15 in second North Side addition to north line of said ward, thence west on the north line of said ward to a point opposite the center of University avenue, thence south on said University avenue to the center of V street, thence on said V street to a point opposite the center of Thirteenth street, thence south on said Thirteenth street to the center of O street, thence on O street to the place of beginning.

Precinct (3) three, or C, shall include all that part of said Third ward described by metes and bounds as follows: The west line of said precinct C shall be the east line of precinct B as hereinbefore described. The south line of said precinct shall be O street between the center line of Fifteenth and the center line of Eighteenth streets. The north line of said precinct shall be X street from Seventeenth street to the northeast corner of said precinct B. The east line of said precinct shall be the center of Eighteenth street from O street to the center of R street, thence west to the east line of Seventeenth street, if extended, thence north on said line to the center line of Vine street, thence north on the center line of Seventeenth street north of Vine to north line of said ward.

Precinct (4) four, or D, shall consist of all that part of said Third ward east of the east line of said precinct C as herein before described,

831. § 4. The Fourth ward of this city shall constitute four (4) election precincts, as follows:

Precinct (1) one, or A, shall consist of all that part of the Fourth ward lying between O street on the north, Fifteenth street on the east, L street on the south, and Eleventh street on the west.

Precinct (2) two, or B, shall include all that part of said ward lying between L street on the north, Sixteenth street on the east, F street on the south, and Eleventh street on the west.

Precinct (3) three, or C, shall include all that part of said ward lying between O street on the north, Twenty-second street on the east, L street on the south, and Fifteenth street on the west.

Precinct (4) four, or D, shall include that part of said ward lying between L street on the north, the east boundary of said ward on the east, F street on the south, and Sixteenth street on the west.

832. § 5. The Fifth ward of said city shall constitute four (4) election precincts, as follows:

Precinct (1) one, or A, shall include all that part of said ward lying between F street on the north, the east boundary line of said ward on the east, C street on the south, and Tenth street on the west.

Precinct (2) two, or B, shall include all that part of the Fifth ward between the center of C street on the north, the center of Twenty-second street on the east, the city limits on the south, and the center of Fifteenth or what would be the continuation of Fifteenth street on the west.

Precinct (3) three, or C, shall include all that part of said ward lying between C street on the north, the west boundary of precinct B on the east, the city limits on the south, and the west line of said precinct shall be the center line of Tenth street from C street south to South street, thence west on said South street to the city limits, thence south on said city limits.

Precinct (4) four, or D, shall include all that part of said ward lying between F street on the north, the west line of precincts A and C on the east, the city limits on the west, South street from Tenth street to Seventh street and the city limits on the south.

833. § 6. The Sixth ward of this city shall constitute two (2) election precincts, as follows:

Precinct (1) one, or A, shall include all that part of said ward lying between Twenty-second on the west, Vine street on the north, the city limits on the east, and the south line of said precinct shall be the center of P street, from Twenty-second street to Thirtieth street, thence south on Thirtieth to O street, thence east on O street to the city limits.

Precinct (2) two, or B, shall include all of said ward south of said precinct A.

834. § 7. The Seventh ward of this city shall constitute two (2) election precincts, as follows:

Precinct (1) one, or A, shall include all that ward lying between Vine street on the south, the city limits on the east, the west and north line of said precinct shall be Twenty-second street from Vine street north to the Chicago, Rock Island & Pacific right of way, thence in a northeasterly direction along said right of way to the city limits.

Precinct (2) two, or B, shall include all of the said ward not included in precinct A, as above described.

835. § 8. It shall be lawful for any person entitled to vote in this city under the laws of this state to vote within the election precincts as herein made, in which he shall have a legal residence at the time of casting his vote, and at no other place or places.

§ 9. Said ordinance entitled "An ordinance creating election precincts in the several wards of the city of Lincoln, defining their boundaries," approved March 20, 1891, be and the same is hereby repealed and this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed September 25, A. D. 1895.

Approved September 25, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

O. W. WEBSTER, *Acting Mayor*.

AN ORDINANCE to provide for the taxation of electric light companies in the city of Lincoln, and regulating the erection and maintenance of the poles, wires, and other appurtenances of said companies, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXII.

Electric Lights.

836. § 1. That wires used as conductors for electric lighting purposes and supports for the same shall be erected or placed along the opposite side of any street or alley that is occupied by the wires of any fire alarm and police telegraph, telegraph, or telephone company, so far as it is practicable; *Provided*, That in any case where any street may be occupied on one side by telephone wires, and on the other by telegraph wires, and it is desired to erect electric light wires along the same street, such electric light wires shall be placed under the telegraph wires and not underneath the telephone wires.

837. § 2. Whenever it is necessary for an electric light conductor to approach or cross the line of any fire alarm and police telegraph, telegraph, or telephone line, the same shall not approach to or cross at a distance of less than four feet either above or below said fire alarm and police telegraph, telegraph, or telephone wire, and shall be securely fastened on supports placed as near as practicable to said fire alarm and police telegraph, telegraph, or telephone lines, and be carried across the route of said fire alarm and police telegraph, telegraph, or telephone lines, so constructed and placed as to prevent the electric light and fire alarm and police telegraph, telegraph, or telephone lines from coming in contact in case either should break or become detached from fixtures.

838. § 3. That no wires, used as conductors for electric lighting purposes, shall be so erected or placed as to interfere by contact, induction, or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph, or telephone wire, circuit, or instrument.

839. § 4. Whenever any such wire used as a conductor for electric lighting purposes shall be so erected, placed, or maintained, as to violate any of the provisions of this article, or so as to interfere by contact, induction, or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph, or telephone line, circuit, or instrument, any proper city authority, or any corporation or person owning or entitled to the use of any such fire alarm and police telegraph, telegraph, or telephone wire, circuit, or instrument, may serve upon the person, company, or corporation, or the managing agent or officer thereof, operating any such wires used for electric lighting purposes, a written notice stating the manner and place where such wires are so erected, placed, or maintained, and upon the receipt of such notice it shall be the duty of such person, company, corporation, agent, or officer, to remove all such wires specified in such notice which are erected, placed, or maintained, in violation of any of the provisions of this ordinance.

840. § 5. Any person, company, corporation, agent, or other officer, who shall neglect, fail, or refuse, for a space of twenty-four hours after receiving the written notice described in section four (4) of this ordinance, to remove such wire or wires erected, placed, or maintained, in violation of any of the provisions of this ordinance or which interfere by contact, induction, or otherwise, with the successful operation of any fire alarm, police telegraph, telegraph, or telephone wire, circuit, or instrument, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not to exceed the sum of fifty dollars, and shall be deemed guilty of a like offense and subject to a like fine for each day or part of a day that such wire or wires remain in violation of this article, and shall stand committed until such fine and costs are paid.

841. § 6. The location, placing, and manner of protection from interference or contact, of any support and wires alluded to in this ordinance, shall at all times be subject to the direction, under the terms of this ordinance of the Street Commissioner.

842. § 7. It shall be unlawful for any person, corporation, or company, or his or its agents or employes, to erect or maintain

on or over the streets, alleys, or lanes of this city, any electric-light wire or wires, and use and operate the same, without first having paid an occupation tax therefor according to the provisions of this ordinance, under penalty of a fine of not less than ten nor more than one hundred dollars for each offense.

843. § 8. Every person, company, or corporation erecting, maintaining, or operating such wire or wires in this city, shall pay the City Treasurer the sum of seventy-five dollars per annum. Such tax to be in addition to any tax levied upon any real and personal property owned by such person or corporation within the limits of this city. Such tax to be paid into the police fund.

§ 9. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 10. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE XXIII.

Eminent Domain.

844. § 1. Whenever the city of Lincoln proposes to make, construct, repair, or alter any public improvement by which any private property will, or is to be, appropriated or damaged thereby, and the Mayor and Council shall by resolution direct, it shall be the duty of the Mayor, with the approval of the Council, to appoint a commission, composed of three disinterested resident freeholders of said city, to assess the damages caused by reason of making, construction, reparation, or alteration of any such public improvement, or that may in any way grow out of the making, construction, reparation, or alteration of maintenance thereof. Said commissioners shall take an oath impartially and truly to perform the duties hereby imposed upon him, and file the same with the City Clerk, and thereupon shall view the property to be taken or damaged and assess the amount of damages caused to each lot or tract, taking into consideration the benefits thereto,

if any, and make a report of their doing to the County Judge of Lancaster county, Nebraska.

Said commissioners shall be authorized to assess the damages to all the property affected by the public improvement, upon which they are called to act, and may for that purpose act at different times. The said County Judge shall deliver a copy of said report to the City Clerk of said city, and another copy to the Register of Deeds of Lancaster county, to be recorded and indexed in the same manner as deeds.

Before said commission shall have power to act, the owner of the property, if a resident of the county, shall have at least ten days' notice in writing, by the city of Lincoln, Nebraska, stating the time and place that such appraisement will be made, either by personal service or by leaving a copy thereof at his usual place of residence. If any property affected by such improvement is owned by a non-resident upon whom service of such notice cannot be had in this county, then twenty days' service of said notice may be made personally wherever such owner may be found, or by publication thereof in some newspaper published in said city, said notice to fix the time of appraisement not less than twenty days thereafter, whereupon said commission shall have the right and authority to proceed to make such appraisement and report. Copies of all notices, with the manner of service, shall be attached to and returned with their report. The making and filing of such report shall create no liabilities against the city of Lincoln, unless the said improvement is made, constructed, repaired, or altered.

845. § 2. In case of death, absence, refusal, or neglect of any of the freeholders to act as commissioners aforesaid, the Mayor shall, with the approval of the Council, appoint other disinterested resident freeholders of said city to complete the panel, and said commissioners are authorized to act as herein before provided, when the panel is complete.

[Passed October 30, 1894. Approved October 30, 1894. Published in *News* October 30, 1894.]

AN ORDINANCE taxing express companies of the city of Lincoln, prohibiting said companies from doing business in said city before said tax is paid, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXIV.

Express Companies.

846. § 1. It shall not be lawful for any express company, or its agency, to transact any express business within the limits of the city of Lincoln, without having first paid the tax therefor according to the provisions of this ordinance, under penalty of a fine of not more than one hundred dollars for each offense.

847. § 2. Every express company or its agency, doing business in this city, shall pay to the City Treasurer for the use of said city, the sum of one hundred dollars per annum. The said tax to be paid into the police fund.

848. § 3. Each express company, or its agency therefor, transacting business in this city, in addition to the tax provided for in this ordinance shall be taxed upon the assessed value of all real and personal property owned by any such express company within the limits of this city.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE for the protection of the city of Lincoln against fire and accidents, and to regulate the sale and storage of explosive or combustible material in said city, regulating the use of fire and stoves in certain places, providing for inspection of property by Chief of Fire Department and empowering him to remove dangerous materials, prohibiting the keeping or storing of combustible or explosive substances save under certain prescribed conditions, prohibiting the deposit or burning on streets, alleys, or sewers of rubbish or combustible material, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln.

ARTICLE XXV.

Fire.

849. § 1. Any person who shall intentionally and without reasonable cause raise any false alarm of fire, shall, upon conviction, be fined in any sum not less than twenty-five dollars, nor more than fifty dollars, or imprisoned not exceeding three months.

850. § 2. Whoever is concerned in causing or making a bonfire, or shall set fire to or burn any hay, straw, shavings, or other combustible materials, in any street, alley, or public place within the fire limits of the city, shall, upon conviction, be fined in any sum not less than twenty dollars nor more than fifty, or imprisonment not exceeding three months: *Provided*, The Chief of the Fire Department, in such cases as he may deem proper, grant permits in writing for the destruction of straw or other rubbish, where the same can be done without damage to property or annoyance to the public; but the same shall be done between the hours of 7 A. M. and 7 P. M., and at least twenty feet from any building.

851. § 3. Whoever shall take or use in any barn or stable within the corporate limits of the city, any lighted candle, oil or fluid lamps, or any burning light of any kind whatsoever, unless the same be inclosed and secured in a good glass case, horn or other lantern, shall, upon conviction, be fined in any sum not less than ten nor more than twenty dollars for each offense.

852. § 4. Every person keeping or occupying any shop or other building wherein shavings or other combustible materials are made, accumulated, or may be contained, and situated within

two hundred feet of any other building, shall clear and remove such shavings or other combustible materials out of any such building and the yard belonging thereto, at least once in each week. Any person or persons using rags or waste for rubbing furniture, or other varnishes or oiled work, shall burn or cause to be burned, all such rags or waste every day; or shall, before the close of the working day, immerse the same in water. Whoever shall violate the provisions of this section, shall, upon conviction, be fined in any sum not less than five dollars nor more than ten dollars for each offense.

853. § 5. No stove shall be used in any such shop or building unless the same shall be set in a box surrounded with fire-proof material, with the pipe carefully set up according to the provisions of this ordinance; and no lighted candle shall be used in any such shop or building, except it be placed in a candlestick made of a material not liable to take fire, under the penalty of two dollars for each offense.

854. § 6. No person shall carry fire in or through any street or lot, or other public or private place, except the same be placed or covered in some close or secure pan or other vessel, under the penalty of one dollar for each offense.

855. § 7. No person, in removing any chips, shavings, or other combustible matter, shall scatter, or throw them, or suffer them to be thrown or scattered, on any street, alley, or other public place, under the penalty of not less than one dollar for each offense.

856. § 8. No person, without first obtaining a permit therefor from the City Council, shall hereafter establish or keep any lumber yard or place for the storage or piling or deposit of lumber for sale, in quantity exceeding ten thousand feet, upon the land within the fire limits of the city.

857. § 9. No lumber shall be piled for the purpose of storing, seasoning or drying the same, within fifty feet of any planing mill, or wood-working manufactory, nor within fifty feet of any private residence, unless the same has been erected since the establishment of such yard.

58 § 10. Any person violating any provisions of the two preceding sections, shall be fined in the sum of not less than ten nor more than one hundred dollars, and every day that any lumber shall remain piled, or any place kept for the storage or piling of lumber in contravention of any of the provisions of the said two preceding sections, shall be deemed a new and distinct offense.

850. § 11. No person shall boil any pitch, tar, resin, or turpentine, within the corporate limits, unless in an open space, at least twenty-five feet distant from any building, or other property, or in a fire-proof building, under the penalty of not less than ten dollars for each offense.

860. § 12. No person shall deposit or stack any hay, straw, or other combustible substance within the fire limits of the city, or within fifty feet of any dwelling house, within the limits of the city of Lincoln, under the penalty of one dollar for each offense, and a penalty of five dollars for every week the same may remain after service of written notice from Chief of Fire Department to remove the same.

861. § 13. No person shall sweep or deposit any paper or other refuse matter, or spill, drop, or throw from any cart, wagon, or other vehicle any hay or straw, upon any street, lot, or alley, within the fire limits of the city, under the penalty of not less than five dollars for each offense.

862. § 14. No person shall keep ashes in any barrel, box, or other wooden vessel, or on any wooden floor in any building, under the penalty of five dollars for each offense.

863. § 15. It shall be the duty of Chief of Fire Department, as often as directed by the Mayor or Council, or as often as Chief of Fire Department shall deem it necessary, to enter any house or building, lot, yard, or premises in said city and examine the fire-flues, hearths, chimneys, stoves, and pipes thereto, ovens, boilers, and other apparatus likely to cause fire; also, the places where any gunpowder, hemp, coal, oils, flax, tar, hay, straw, shavings, or other combustible matter may be lodged or stored. And the said Chief of Fire Department shall give such direc-

tions in regard to the several foregoing matters as he shall deem expedient to guard against fire or accident, either as to the removal or alteration, or better care and management thereof.

864. § 16. That whenever the Chief of Fire Department shall give the notice or directions mentioned in the foregoing section to the owner or occupant of any premises, either verbally or by printed or written notice, in which any of the matters mentioned in said section shall be contained, it shall be the duty of said owner or occupant, within twenty-four hours, to cause such removal or alteration therein, at the owner or occupant's expense, as shall be required by said Chief of the Fire Department. If the owner or occupant refuses or neglects to cause such removal or alteration within twenty-four hours after serving of said notice, he shall be subject to a fine of not less than two dollars and not more than ten dollars for each and every day such violation shall continue, after twenty-four hours from the serving of said notice.

865. § 17. No person shall keep, sell, or give away any gunpowder or guncotton in any quantity without permission in writing signed by the Chief of Fire Department and City Clerk, and sealed with the corporate seal, under a penalty of twenty-five dollars for every offense: *Provided*, Any person may keep for his own use a quantity of gunpowder or guncotton not exceeding one pound.

866. § 18. All applications for such permits shall be made to the Chief of Fire Department, and no more than six shall be granted in any one block.

867. § 19. The Chief of Fire Department shall make an entry thereof in a register to be provided for that purpose, which entry shall state the name and place of business and the date of permit.

868. § 20. No person shall sell or weigh any gunpowder or guncotton after the lighting of lamps in the evening, unless in sealed canisters or cases.

869. § 21. It shall be the duty of every person to whom a permit shall be given to keep a sign at the front door of his

place of business with the word "gunpowder" painted or printed thereon in large letters, also a sign showing where said powder is stored or kept on the premises.

870. § 22. No person, firm, or corporation, shall have or keep at his, their, or its, place of business, or elsewhere within the city, or within one mile of the limits thereof, a greater quantity of gunpowder or guncotton than thirty pounds at one time, and the same shall then be kept in tin canisters or cases, containing not to exceed thirty pounds each, and in a situation remote from fires, lighted lamps, candles, gas, or other inflammable matter, from which the same may be easily removed in case of fire, and then only by first obtaining a permit as herein required: *Provided, however,* That a special permit may be granted by the Council for the storage of gunpowder not to exceed one hundred and fifty pounds, the same to be kept in water-tight metal canisters, said metal canisters to be kept in a strongly-made box, said box to be covered with metal on all sides and to be supplied with handles and heavy lock, said box to be kept on the outer edge of sidewalk in front of the premises occupied by the party or parties obtaining such special permit.

871. § 23. No powder magazine or place for storing or keeping gunpowder or guncotton shall be kept or maintained within the city or within one mile of the limits thereof.

872. § 24. It shall be unlawful for any person or persons to carry or convey any gunpowder or guncotton (exceeding fifty pounds in quantity) through any street, alley, highway, or road, in the city, or within one mile of the limits thereof, in any cart, carriage, wagon, dray, or wheelbarrow, or otherwise, unless the said gunpowder or guncotton be secured in tight cases or kegs well headed and hooped, and put into and entirely covered with a good tight and substantial cover sufficient to prevent the same from being scattered, or unless the same is put into a well-covered and perfectly water-tight box, the bottom and sides of which shall be completely covered with zinc, or unless such gunpowder or guncotton be secured in water-tight, patent, metallic cases or kegs.

873. § 25. No gunpowder or guncotton shipped to or from the city of Lincoln shall be permitted or suffered to be or remain on any street, alley, highway, railroad track or car, or other place within said city, or within one mile of the limits thereof, in a greater quantity than fifty pounds, except as herein otherwise provided, for a longer period than a reasonable time to load and unload the same, which time, however, shall not exceed twelve hours: *Provided, however,* The Mayor may by permit in writing extend said time not exceeding twenty-four hours.

874. § 26. All permits granted under this ordinance shall expire on the fifteenth day of April in each year. No permit shall be granted to any retailer of intoxicating liquors, or to any intemperate person. The City Treasurer shall receive, for the use of the city, the sum of two dollars for each and every permit that may be issued.

875. § 27. All gunpowder or guncotton which shall be found in any store, storehouse, or manufactory, or other building, or which may be found in street, alley, cart, wagon, or other vehicle, within the city of Lincoln or within the jurisdiction of said city, in violation of any provision of this ordinance, if the owner is not known, shall be immediately seized and removed to some secure place, and it is hereby made the duty of the members of the police force to assist in such seizure when called upon; and if the owner of said powder or guncotton is known, then notice shall be served upon him ordering its immediate removal.

876. § 28. It shall not be lawful for any person or persons to manufacture within the limits of the city, any explosive material or compound to be used for any purpose, the manufacture of which would be dangerous to life and property, under the penalty of one hundred dollars, and a further penalty of fifty dollars for each and every day that such explosive material or compound may be manufactured after written notification for discontinuance thereof by the Chief of Fire Department.

877. § 29. It shall not be lawful to store or keep in any building or other place within the corporate limits, or convey through any street, avenue, alley, or other public place, any

dynamite, nitro-glycerine, or any other explosive material or compound other than gunpowder, unless a permit in writing for such purpose be first obtained from the Mayor, under the penalty of one hundred dollars for each and every offense, and a further penalty of twenty-five dollars for each and every day that such explosive material or compound may remain stored, kept deposited, or conveyed, as the case may be.

878. § 30. In all buildings in which any explosive material or compound, as regulated by the two preceding sections, is stored or kept under a permit obtained from the Mayor, it shall be the duty of the person or persons so storing to place a tin sign on the door, or some other conspicuous place on the outside of the first story of such building, on which shall be painted in legible letters the name of the compound or material so kept or stored, under penalty of five dollars, and a further penalty of five dollars for each and every day after written notification from the Chief of the Fire Department to comply with the provisions of this section.

879. § 31. If any person or persons shall hinder or obstruct the Chief of the Fire Department or his assistants in the performance of his duty, the person so offending shall, upon conviction, be fined in any sum not exceeding fifty dollars, and stand committed to the jail of said city until such fine and costs are paid.

880. § 32. That it shall be unlawful for any person or persons to spill, scatter, drop, throw, deposit or place any paper, shavings, shucks, hay, straw, or other combustible material, or rubbish of any kind or nature, in or upon any streets or alleys, or to throw the same in or near any sewer, catch-basin, or other opening into any sewer, or to burn any such material or rubbish in any paved street of the city of Lincoln.

§ 33. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 34. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating and prohibiting the use of fire-arms, fire-works, and cannon in the city of Lincoln, prohibiting the sale of fire-arms to minors, prohibiting the discharging, the carrying, owning, or selling of toy pistols or sling shots, prohibiting the use of fire-works or fire-crackers in certain places, prohibiting the discharge of cannon without the written permission of the Mayor, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXVI.

Fire-arms, Fire-works, and Cannons.

881. § 1. No person, except an officer of the law in the discharge of his duty, shall fire or discharge any gun, pistol, fowling-piece, or other fire-arm, within the corporate limits of the city of Lincoln, under penalty of a fine of ten dollars for each offense.

882. § 2. No person shall sell, loan, or furnish, to any minor, any gun, fowling-piece, or other fire-arm, within the limits of the city, under penalty of a fine of fifty dollars for each offense.

883. § 3. It shall be unlawful for any person or persons to discharge or cause to be discharged any toy pistol, toy gun, or other toy arm or arms, or sling shot, loaded with leaden or other dangerous missiles, at any time or under any circumstances, within the limits of the said city of Lincoln. Any person so offending shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars for each offense, and stand committed until such fine and costs are paid or secured.

884. § 4. It shall be unlawful for any person within the said city to carry about his or her person any toy pistol, toy gun, or other toy arm or arms, or sling shots, out of or by which any leaden or other dangerous missiles may be discharged. Any person so offending shall, upon conviction thereof, be fined in any sum not exceeding twenty dollars, and stand committed until such fine and costs are paid or secured.

885. § 5. It shall be unlawful for any parent, guardian, or other person having the care and custody of any minor, to purchase for or give to any such minor or knowingly to permit any such minor to have any toy pistol, toy gun, or other toy arm or

arms, or sling shot, out of which any leaden or other dangerous missiles may be discharged. Any such person so offending shall, upon conviction thereof, be fined in any amount not exceeding twenty dollars, and stand committed until such fine and costs are paid or secured.

886. § 6. It shall be unlawful for any person or persons within said city to ignite or cause to be exploded any fire-crackers, Roman candles, torpedoes, rockets, or any kind of fire-works whatever, or any other combustible substance or thing, upon any sidewalk, bridge, building, or in or upon any building, shed, or outhouse, in said city, or in the vicinity of any such buildings, or in any place where the same may do damage to person or property.

887. § 7. It shall be unlawful for any person in said city to ignite or cause to be exploded any fire-works or combustible substance mentioned in section 6 of this ordinance, upon any street or alley, or other public ground in said city, at or near any team or teams of horses or other animals, or sufficiently near to frighten the same.

888. § 8. No cannon or piece of artillery shall be discharged or fired off in any street, avenue, alley, park, or place, within the corporate limits of the city, without a written permission from the Mayor, under penalty of a fine of twenty-five dollars for each offense.

889. § 9. It shall be the duty of every member of the police force to see that the provisions of this article are strictly complied with and enforced.

§ 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 11. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE prohibiting all persons from interfering with hydrants, fire appliances, apparatus, or members of Fire Department, prohibiting the passage of vehicles of all description over the hose of the Fire Department, empowering the Chief of Fire Department and his assistants to draft the services of individuals in time of fire, and to use vehicles and draft animals of citizens or passers-by, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXVII.

Fire Department.

890. § 1. No person shall in any manner obstruct the use of a fire hydrant, or have or place any material in front thereof, or within five feet from either side thereof, under the penalty of ten dollars (\$10) for each offense; and any and all material found as an obstruction as aforesaid may be forthwith removed by any member or members of the Fire Department, and at the risk, cost, and expense of the owner or claimant.

891. § 2. Every person who shall be present at a fire shall be subject and obedient to the orders of the Chief and Assistant Chief in extinguishing the fire and the removal and protection of property; and in case any person shall refuse to obey such orders, he shall forfeit and pay for every offense the sum of five dollars (\$5.00): *Provided*, That no person not a member of the Fire Department shall be bound to obey any of said officers unless said officers shall wear their respective badges of office, or their official character shall be known or made known to him; and all such officers shall have power to arrest any person or persons so refusing to obey such lawful orders as aforesaid, and hold them in custody until after the fire is extinguished, when he or they shall be taken before a magistrate, to be dealt with according to law.

892. § 3. It shall be lawful for the Chief, Assistant Chief, or any officer in command of any company, to require the aid of a drayman with his horse and dray, driver of a licensed wagon with his team and wagon, or any citizen, inhabitant, or by-stander, in drawing or conveying any engine or other fire apparatus to the fire and in working and using the same while at a fire; and

on the refusal or neglect of any person to comply with such requisition, the offender shall, for every default, forfeit and pay a penalty of not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00).

893. § 4. Any person who shall willfully offer any hindrance to any officer or fireman in the performance of his duty at a fire, or shall willfully in any manner injure, deface, or destroy, any engine or fire apparatus belonging to the city of Lincoln, shall for every such offense forfeit and pay a penalty of not more than one hundred dollars (\$100.00).

894. § 5. No wagon, street railroad car, or other vehicle, horse, or animal, shall be driven or rode over any unprotected hose of the Fire Department of the city of Lincoln, when laid down on any street or alley to be used at any fire or alarm of fire, without the consent of the Chief or the officer in command; any person violating this section shall be subject to the penalty of not less than ten dollars (\$10) nor more than one hundred dollars (\$100) for each offense.

895. § 6. Should any person have in his possession, or make or cause to be made, any key or keys of any fire engine or truck house, or fire alarm telegraph box, or use or cause the same to be used, without the consent of the proper authorities, (except the Mayor and Chief of the Fire Department,) every such person shall be subject to a fine of not less than fifty dollars (\$50), nor more than one hundred dollars (\$100) for each offense.

896. § 7. Any person who shall scratch, stencil, or post placards or bills, on any poles of the fire alarm telegraph, or in any other manner injure or deface the same, shall be subject to a fine of not less than five dollars for each and every offense.

897. § 8. No person or persons, except those connected with the management of the same, shall open any signal box unless it be to give an alarm of fire, or break, cut, injure, deface, derange, or in any manner meddle or interfere with any signal box or fire alarm telegraph wires, under the penalty of not less than twenty-five dollars, or imprisonment for not less than thirty days, for each and every offense.

898. § 9. All fire apparatus shall have the right of way upon any street, avenue, or highway, when going to an alarm of fire; any person or persons, owners, drivers, conductors, or engineers of any buggy, wagon, carriage, street car, steam railroad car, or other vehicle propelled by hand, horse, or steam power, who shall carelessly, wantonly, maliciously, or otherwise obstruct or intercept the right of way of the fire apparatus of the city while going to a fire, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the Police Court of the city of Lincoln in a sum not less than ten dollars nor more than one hundred dollars.

§ 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 11. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to regulate the construction and use of public halls, opera houses, theatres, hotels, boarding houses, and other public or semi-public places where persons assemble together in the city of Lincoln, and to provide for the erection and maintenance of suitable fire escapes therefrom and means of entrance thereto and exit therefrom, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXVIII.

Fire Escapes.

899. § 1. All places or buildings in said city where an admission fee is charged to the attending public, are hereby declared to be public halls, opera houses, or theaters, for the purposes of and subject to the provisions of this ordinance.

900. § 2. That each and every public hall, opera house, or theater, whether licensed or not, and all churches and other edifices in said city used for the assembling together of persons, now being or hereafter to be erected in said city, shall be provided with sufficient means of egress therefrom to enable the entire number of persons that may at any time be assembled therein to

pass out of the same with safety in a space of time not to exceed three (3) minutes.

901. § 3. That the means of egress from all such buildings as are mentioned in section 2 hereof, shall be through doors or other openings leading outward, and to platforms, halls, or stairways, or other means of egress that shall be of sufficient strength to support with safety as many persons as could come thereon from said building at any one time: *Provided*, That if said escapes and passage-ways be constructed upon the outside of any such building, the same shall be of sufficient strength, and shall be provided with suitable railings or guards of sufficient height, strength, and construction, to support and protect with safety the passing thereover of an excited crowd of persons: *And Provided further*, That the combined capacity of all entrances aisles, and passage-ways for admission of persons to such buildings, shall not exceed the capacity of the escapes and means of egress therefrom.

902. § 4. It shall be unlawful for any person to use or permit to be used any such building as is mentioned in section 1 of this ordinance, unless the same shall be provided with means of escape therefrom in case of danger or fire, as is provided in this ordinance, and any person so offending shall, on conviction thereof, be subject to the penalty hereinafter provided. It shall also be unlawful for the owner, lessee, or manager, or any other person, to use or permit any such building to be used for the purposes mentioned in this ordinance, unless such building shall be provided with sufficient aisles or passage-ways to enable all persons provided for in the seating capacity of such building, to pass through and out of the same in a space of time not to exceed three (3) minutes, and said aisles shall in no case lead to passage-ways or stairways the capacity of which is less than the capacity of all aisles combined leading thereto. It shall also be unlawful for any person, when persons are assembled in any such building, except churches and public halls on the ground floor, to cause or permit any of the interior aisles or passage-ways thereof to have chairs, benches, or seats placed therein, or to be obstructed

in any other manner, and said aisles and passage-ways shall be kept open and unobstructed in any manner at all times.

903. § 5. The owner, lessee, or manager, of every such public hall, opera house, or theater, to which the public are admitted for pay, shall provide the same with at least three of the most approved fire extinguishers, and shall at all times keep the same in some conspicuous place, ready for use in case of fire, and shall also keep in some convenient place about said building at least two fire hooks, and at least twelve common buckets for use in case of fire. All screens, scenery, stage fixtures, and machinery, shall be so constructed, kept, and used, as not to come in contact with any lights upon or about such stage, and all lights upon and about such stage shall be sufficiently protected with some metallic guards or protectors to prevent the communication of fire.

904. § 6. Any person who shall violate any of the provisions of sections 2, 3, 4, and 5 of this ordinance, shall, on conviction thereof, be fined in any sum not less than five dollars nor more than one hundred dollars, and shall stand committed to the jail of said city until such fine and costs are paid, and in addition thereto, in case of violation of this ordinance by the owner, proprietor, lessee, or manager, of any such licensed hall, opera house, or theater, the Mayor and Councilmen shall revoke such license. In case of violation of this ordinance by the owner, proprietor, lessee, or manager, of unlicensed halls, the Mayor and Councilmen may by resolution order the closing of the same, and whoever shall thereafter open to the public any such hall, opera house, or theater, or any hall, opera house, or theater, for the assemblage of more than twelve persons, the license whereof has been revoked, without complying with the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, and stand committed until fine and costs are paid.

905. § 7. The owner, lessee, proprietor, or manager of any hotel, lodging house, or other building within said city wherein guests are received, boarded, or lodged for pay, shall place or

cause to be placed in every sleeping apartment above the second floor or story, a good and sufficient fire escape.

906. § 8. The owner or owners of every hotel, lodging-house, factory, tenement, or building devoted to business purposes, over two (2) stories in height, shall provide, without delay, such hotel, lodging-house, tenement, or building devoted to business purposes, with permanent iron balconies, with iron stairs or ladders, leading from one balcony to the other, to be placed at the end of each hall above the first story, or such number as may be directed by the Chief of the Fire Department or such other authority as may have control of fire regulations, etc.; and that the halls leading to such fire escape be kept free and clear, and that there be placed in each hall a sign, lighted by night, showing the position of such fire escape, and directions for using the same.

907. § 9. All hotels or lodging-houses two (2) stories or more in height, and fifty (50) feet or more in length, shall have at least two (2) stairways for the use of guests or occupants, leading from the ground floor to the uppermost story, and all outside doors shall be so hung that they shall open on the outside instead of the inside of such hotel or lodging-house.

908. § 10. It shall be the duty of every such proprietor or keeper of any hotel or lodging-house in said city, to post notices in every sleeping room of such hotel or lodging-house, calling attention to the fact that this ordinance has been complied with, and the part of such room where such coil of rope, rope ladder, or fire escape is fastened.

909. § 11. Any person who shall violate any of the provisions of this ordinance, or refuse to comply therewith, shall, on conviction thereof, be punished by a fine of not less than twenty (20) dollars nor more than one hundred (100) dollars and costs of prosecution, and stand committed until such fine and costs are paid.

910. § 12. Any opera house now erected or that may hereafter be erected within the city limits, may be provided with fire escapes, the same to consist of iron balconies, and iron stairways and sup-

ports, leading from the uppermost story to the ground, and also erect and maintain an entrance to the same, the same to be covered with metal; and the space to be occupied by said entrance shall not project to exceed eight feet and six inches over the lot line into the street.

§ 13. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 14. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE fixing and defining the fire limits of the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXIX.

Fire Limits.

911. § 1. The following described territory in the city of Lincoln shall embrace and constitute the fire limits of said city, to-wit: The north half of block number twenty-two (22) and all of blocks numbered twenty-nine (29), thirty (30), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-four (44), forty-five (45), the north half of block fifty-two (52), all of blocks fifty-three (53), fifty-four (54), fifty-five (55), fifty-six (56), fifty-seven (57), fifty-eight (58), fifty-nine (59), the north half of block sixty (60), and sixty-one (61), all of blocks sixty-five (65), sixty-six (66), sixty-seven (67), sixty-eight (68), sixty-nine (69), seventy (70), eighty-six (86), eighty-seven (87), eighty-eight (88), eighty-nine (89), ninety (90), ninety-nine (99), one hundred (100), except the southeast quarter, one hundred and one (101), one hundred and two (102), eighty-five (85), except the northwest quarter, the north half of block ninety-eight (98), and all blocks between O and P streets and between Seventeenth (17th) and Twenty-fourth (24th) streets, also all blocks between N and O streets and between Seventeenth

(17th) and Twenty-fourth (24th) streets, except the south half of all blocks between Seventeenth (17th) and Twentieth (20th) and Twenty-first (21st) and Twenty-fourth (24th) streets between N and O streets, and north half of all blocks between Seventeenth (17th) and Twentieth (20th) and Twenty-first (21st) and Twenty-fourth (24th) streets between O and P streets.

§ 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the use and display of flags and decorations on the city buildings in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXX.

Flags and Decorations at the City Hall.

912. § 1. All power and authority to display flags or other decorations on, in, or about, the city hall or other public buildings belonging to the city, are hereby vested in the Mayor, unless the City Council shall direct otherwise.

§ 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the placing of flower pots or other articles on window-sills, balconies, or other projections from buildings in the city of Lincoln, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXXI.

Flower Pots.

913. § 1. It shall not be lawful for any person to place or keep on any window-sill, railing of balcony, top of porch, or any

other projection from any house or other building in the city of Lincoln, any earthen flower-pots, wooden box, or other article or thing whatsoever for the cultivation or retention of flowers, shrubs, vines, or any other article or thing whatever, unless every such flower-pot, box, or other article, is securely and firmly fastened or protected by iron railings, so fastened as to render it impossible for any such pot, box, or other article, to fall into the street, under penalty of a fine of ten dollars for each offense.

§ 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE to prevent interference with funeral trains, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXXII.

Funeral Trains.

914. § 1. Any number of persons, either on foot, in carriages or other conveyances, accompanying the remains of any deceased person, shall constitute a funeral train within the meaning of this ordinance.

915. § 2. It shall be and is hereby declared to be unlawful for any person, persons, band, or company of persons to intentionally delay or in any way interfere with a funeral train, or for any railroad or street car company, or any person or persons to place, cause to be placed, or permit to remain any locomotive, motor, car, carriage, or other vehicle or animal in or along that part of any street, alley or place, in the city of Lincoln occupied or being used by any funeral train, so as to intentionally stop, delay, or in any way interfere with the movement, purpose or object of the persons composing such funeral train; and it is hereby declared to be the duty of all persons being or having any locomotive, motor, car, carriage or other vehicle, animal or

object in the way of any approaching funeral train, which would materially interfere with or obstruct the same, to leave the way, or cause such obstruction to be removed without unnecessary delay: *Provided*, This ordinance shall not apply to the Chief of Fire Department, or apparatus when on a call of fire, the United States mail wagon when conveying mail, and the police patrol when in charge of an officer.

916. § 3. Any officer, employe, or servant of any company, or any other person violating any of the provisions of this ordinance, shall, upon conviction thereof, be fined in any sum not to exceed one hundred dollars, and stand committed until such fine and costs are paid or otherwise discharged according to law.

§ 5. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed, and this ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to prohibit gambling, gambling devices, and gambling houses in the city of Lincoln, to prohibit the keeper of any licensed place for the sale of liquor from engaging in or permitting in his place of business any gambling, to prohibit the visiting or frequenting of any gambling places, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and City Council of the City of Lincoln:

ARTICLE XXXIII.

Gaming.

917. § 1. That it shall be unlawful for any person or persons within the limits of the city of Lincoln, to set up or keep any gambling house, table, or room or place whatever, or any gambling device of any kind, form, or character, at which any game of chance shall be played for money or property, or other valuable thing; and it shall be unlawful for any person to suffer or permit any such gambling device to be set up, or used in or upon any premises or tenements belonging to or under the control of such person, for the purpose of gambling as aforesaid.

918. § 2. It shall be unlawful for any person or persons

within the limits of the city of Lincoln to engage in gambling or to play any game or games of chance of any character with cards, dice, or any other device or means whatever for money or other valuable thing, or for anything representing money or value.

919. § 3. It shall be unlawful for any keeper of any licensed place for the sale of malt, spirituous, and vinous liquors, or the keeper of any billiard hall or bowling alley, or other place of public resort within the city of Lincoln, to engage in or permit, in, at, or about said place, any gambling or playing at games of chance with any device or means whatever for money or other valuable thing.

920. § 4. It shall be unlawful for any person within said city to visit, or frequent, or loaf about, any room or place wherein gambling and playing at games of chance for money, or articles representing money or property, is conducted or permitted, knowing the same to be such gambling place, or to induce any other person to visit or frequent any such gambling place; and every person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be subject to the penalty hereinafter provided.

921. § 5. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than ten nor more than one hundred dollars for each offense, and shall be committed until such fine and costs of prosecution are paid.

§ 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 7. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE XXXIV.

Gas and Electric Light Property.

922. § 1. That it shall be unlawful for any person or persons to tamper with, break, deface, displace, disconnect, injure, or destroy any of the meters, fixtures, pipes, wires, lamps, poles, posts, or any other apparatus or property of any gas or electric light company in this city.

923. § 2. That any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

[Passed November 1, 1892. Approved November 11, 1892. Published in *Journal* November 12, 1892.]

AN ORDINANCE to compel gas companies doing business in the city of Lincoln to lay gas mains through all streets that are to be paved within paving districts now existing or hereafter created, and to carry the gas service from such mains to and inside the curb on each lot frontage on said streets, providing for the manner in which order shall be given to said companies, fixing a maximum rate to be charged for gas, and prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXXV.

Gas Mains.

924. § 1. It is hereby made the duty of all gas companies within the limits of the city of Lincoln, and the said companies are hereby required, to lay gas mains through all streets that are to be paved within any paving districts now created, or that may be hereafter created in the city of Lincoln; and said companies are hereby required to carry the gas service from such mains to and inside the curb on each lot frontage on said streets.

925. § 2. The said gas companies are hereby required to lay said gas mains and carry said service to and inside said curbing immediately after the council of said city shall order any street or streets in any paving district or districts to be paved, and such

work to be done by said companies prior to the paving of said streets in any such district or districts.

926. § 3. The said council may at any time after ordering the paving of any such streets, order the said gas companies to comply with the requirements of section 1 of this ordinance, and the City Engineer or some other person named in the said order shall within five days after the passage of said order serve a notice upon said gas companies notifying said company that on the day of the passage of said order, the same was passed by the City Council of Lincoln, ordering and directing the said companies to comply with the requirements of said order within ten days from the date of the service of said notice; said notice shall be signed, "By order of the Council." By _____

927. § 4. The notice provided for in the preceding section shall be served by the City Engineer, or some other person appointed by the Council for such purpose, in the following manner. By delivering to the President or Secretary, or other officer of said gas company, a copy of said notice, and he shall return a copy of said notice to the office of the City Clerk with his sworn indorsement of the time and manner of his service thereof.

928. § 5. Any gas company who shall violate any of the provisions of this ordinance or shall fail or refuse to comply with any order made by said Council in pursuance of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars, and each twenty-four hours that any such gas company shall fail or refuse to comply with any such order made by said Council, after service of such notice and expiration of the time specified in said notices, shall be deemed a separate offense, and any such gas company so failing or refusing to comply with any such order shall be subject for each offense to the penalty herein prescribed.

928a. § 6. That hereafter it shall be unlawful for the Lincoln Gas Company, or any individual, copartnership, or corporation, engaged in the manufacture or sale of illuminating gas in the city of Lincoln, to charge for said gas furnished to citizens or

private consumers, a price exceeding two dollars per thousand cubic feet. No rent shall be charged for meters when three hundred cubic feet per month have been consumed; *Provided*, That the charge for gas for the use of gas engines shall not exceed one dollar and seventy-five cents per thousand cubic feet. No gas company in said city shall remove any meter or meters, or refuse to furnish gas to any person in said city, so long as said person shall desire and be ready and able to pay for the same at the legal rate.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE establishing the grade of certain streets in the city of Lincoln with reference to a datum plane herein described, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXXVI.

Grades.

929. § 1. That the grades of certain streets in the city of Lincoln, Neb., shall be and the same are hereby established in reference to a datum plane, which is located as follows, to-wit: Bench mark cut in water table at northeast corner of post-office building is 79.74 feet above said datum plane; also bench mark on northwest corner of iron platform step at west portal of State Capitol is 103.12 feet above datum plane, said datum plane being coincident with the datum plane of what is known as the Harvey Grade, the grades being uniform straight lines between the adjacent points specified, and are all above said datum plane:

	Elev. of N. Curb.	Elev. of S. Curb.
930. § 2.—GRADE OF A St.		
West curb of 6th st.....	67.00	67.00
East curb of 6th st.....	67.50	67.50
West curb of 7th st.....	77.50	77.50
East curb of 7th st.....	77.50	77.50
West curb of 8th st.....	76.00	76.00
East curb of 8th st.....	75.50	75.50
West curb of 9th st.....	74.00	74.00
East curb of 9th st.....	73.50	73.50
West curb of 10th st.....	72.00	72.00
East curb of 10th st.....	71.50	71.50
West curb of 11th st.....	70.00	70.50
East curb of 11th st.....	70.00	70.50
West curb of 12th st.....	71.00	71.00
East curb of 12th st.....	71.50	71.50
West curb of 13th st.....	74.00	74.00
East curb of 13th st.....	74.50	74.50
West curb of 14th st.....	78.00	78.00
East curb of 14th st.....	78.50	78.50
West curb of 15th st.....	81.50	81.50
East curb of 15th st.....	82.00	82.00
West curb of 16th st.....	86.00	86.00
East curb of 16th st.....	86.50	86.50
West curb of 17th st.....	90.00	90.00
East curb of 17th st.....	90.50	90.50
West curb of 18th st.....	94.00	94.00
East curb of 18th st.....	94.50	94.50
West curb of 19th st.....	99.50	99.50
East curb of 19th st.....	100.00	100.00
West curb of Fitzgerald ave.....	109.50	109.00
East curb of Fitzgerald ave.....	110.00	109.50
West curb of 21st st.....	115.50	115.50
East curb of 21st st.....	116.00	116.00
West curb of 22d st.....	119.00	119.00
East curb of 22d st.....	119.00	119.00
West curb of 23d st.....	117.00	117.00
East curb of 23d st.....	116.50	116.50
West curb of 24th st.....	107.50	107.50
East curb of 24th st.....	107.00	107.00
West curb of 25th st.....	105.25	105.25
East curb of 25th st.....	105.00	105.00
West curb of 26th st.....	103.50	103.50
East curb of 26th st.....	103.00	103.00
West curb of 27th st.....	101.00	101.00
East curb of 27th st.....	101.50	101.50

931. § 3.—GRADE OF B St.		
West curb of 6th st.....	61.00	61.00
East curb of 6th st.....	61.50	61.50
West curb of 7th st.....	62.50	62.50
East curb of 7th st.....	63.00	63.00
West curb of 8th st.....	64.00	64.00
East curb of 8th st.....	64.50	64.50
West curb of 9th st.....	65.50	65.50
East curb of 9th st.....	66.00	66.00
West curb of 10th st.....	67.00	67.00
East curb of 10th st.....	67.50	67.50
West curb of 11th st.....	68.50	68.50
East curb of 11th st.....	69.00	69.00
West curb of 12th st.....	69.50	69.50
East curb of 12th st.....	70.00	70.00
West curb of 13th st.....	71.50	71.50
East curb of 13th st.....	72.00	72.00
West curb of 14th st.....	73.00	73.00
East curb of 14th st.....	73.50	73.50
West curb of 15th st.....	77.50	77.50
East curb of 15th st.....	78.00	78.00
West curb of 16th st.....	81.00	81.00
East curb of 16th st.....	81.50	81.50

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 17th st.....	88.00	88.00
East curb of 17th st.....	88.50	88.50
West curb of 18th st.....	93.00	93.00
East curb of 18th st.....	93.50	93.50
West curb of 19th st.....	97.50	97.50
East curb of 19th st.....	98.00	98.00
West curb of Fitzgerald ave.....	116.50	115.50
East curb of Fitzgerald ave.....	116.50	115.50
West curb of 21st st.....	120.00	120.00
East curb of 21st st.....	119.50	119.50
West curb of 22d st.....	113.50	113.50
East curb of 22d st.....	113.00	113.00
West curb of 23d st.....	106.50	106.50
East curb of 23d st.....	106.00	106.00
West curb of 24th st.....	99.50	99.50
East curb of 24th st.....	99.00	99.00
West curb of 25th st.....	93.25	93.25
East curb of 25th st.....	93.00	93.00
West curb of 26th st.....	96.50	96.50
East curb of 26th st.....	96.75	96.75
West curb of 27th st.....	90.00	90.00
East curb of 27th st.....	90.00	91.00

932. § 4.—GRADE OF C St.		
West curb of 6th st.....	55.00	55.00
East curb of 6th st.....	55.50	55.50
West curb of 7th st.....	58.00	58.00
East curb of 7th st.....	58.50	58.50
West curb of 8th st.....	62.00	62.00
East curb of 8th st.....	62.50	62.50
West curb of 9th st.....	68.50	68.50
East curb of 9th st.....	69.00	69.00
West curb of 10th st.....	70.50	70.50
East curb of 10th st.....	71.00	71.00
West curb of 11th st.....	72.00	72.00
East curb of 11th st.....	72.50	72.50
West curb of 12th st.....	74.00	74.00
East curb of 12th st.....	74.50	74.50
West curb of 13th st.....	76.00	76.00
East curb of 13th st.....	76.50	76.50
West curb of 14th st.....	78.00	78.00
East curb of 14th st.....	78.50	78.50
West curb of 15th st.....	80.00	80.00
East curb of 15th st.....	80.50	80.50
West curb of 16th st.....	82.00	82.00
East curb of 16th st.....	82.50	82.50
West curb of 17th st.....	87.00	87.00
East curb of 17th st.....	87.50	87.50
West curb of 18th st.....	92.00	92.00
East curb of 18th st.....	92.50	92.50
West curb of 19th st.....	99.00	99.00
East curb of 19th st.....	99.00	99.00
West curb of Fitzgerald ave.....	115.50	116.50
East curb of Fitzgerald ave.....	115.50	116.50
West curb of 21st st.....	102.50	102.50
East curb of 21st st.....	102.00	102.00
West curb of 22d st.....	94.00	94.00
East curb of 22d st.....	93.50	93.50
West curb of 23d st.....	88.50	88.50
East curb of 23d st.....	88.00	88.00
West curb of 24th st.....	85.50	85.50
East curb of 24th st.....	85.00	85.00
At 80 feet west of 25th st....	83.50	83.50
West curb of 25th st.....	85.25	85.25
East curb of 25th st.....	85.75	85.75
West curb of 26th st.....	92.00	92.00
East curb of 26th st.....	92.00	92.00
West curb of 27th st.....	76.00	76.50
East curb of 27th st.....	76.00	76.50

	Elev. of N. Curb.	Elev. of S. Curb.		Elev. of N. Curb.	Elev. of S. Curb.
934. § 5.—GRADE OF D ST.					
West curb of 6th st.....	58.00	58.00	East curb of 16th st.....	80.20	80.20
East curb of 6th st.....	58.50	58.50	West curb of 17th st.....	84.00	84.00
West curb of 7th st.....	63.50	63.50	East curb of 17th st.....	84.50	84.50
East curb of 7th st.....	64.00	64.00	West curb of 18th st.....	89.00	89.00
West curb of 8th st.....	72.00	72.00	East curb of 18th st.....	89.50	89.50
East curb of 8th st.....	72.50	72.50	West curb of 19th st.....	95.50	95.50
West curb of 9th st.....	73.50	73.50	East curb of 19th st.....	96.00	96.00
East curb of 9th st.....	74.00	74.00	West curb of 20th st.....	105.00	105.00
West curb of 10th st.....	75.00	75.00	East curb of 20th st.....	105.00	105.00
East curb of 10th st.....	75.00	75.00	West curb of 21st st.....	86.50	86.50
West curb of 11th st.....	72.00	72.00	East curb of 21st st.....	85.50	85.50
East curb of 11th st.....	72.50	72.50	West curb of 22d st.....	73.50	73.50
West curb of 12th st.....	73.50	73.50	East curb of 22d st.....	73.00	73.00
East curb of 12th st.....	74.00	74.00	West curb of 23d st.....	68.50	68.50
West curb of 13th st.....	75.50	75.50	East curb of 23d st.....	68.00	68.00
East curb of 13th st.....	76.00	76.00	West curb of 24th st.....	64.00	64.00
West curb of 14th st.....	77.00	77.00	East curb of 24th st.....	63.50	63.50
East curb of 14th st.....	77.50	77.50	West curb of 25th st.....	66.00	66.00
West curb of 15th st.....	79.00	79.00	East curb of 25th st.....	66.50	66.50
East curb of 15th st.....	79.50	79.50	West curb of 26th st.....	69.00	69.00
West curb of 16th st.....	81.00	81.00	East curb of 26th st.....	69.25	69.25
East curb of 16th st.....	81.50	81.50	West curb of 27th st.....	72.50	72.25
West curb of 17th st.....	83.00	83.00	East curb of 27th st.....	72.50	72.25
East curb of 17th st.....	83.50	83.50	West curb of 28th st.....	74.50	74.00
West curb of 18th st.....	90.50	90.50	East curb of 28th st.....	74.50	74.00
East curb of 18th st.....	91.00	91.00	West curb of Ulysses ave....	76.30	76.00
West curb of 19th st.....	97.50	97.50	East curb of Ulysses ave....	76.30	76.00
East curb of 19th st.....	98.00	98.00	West curb of 30th st.....	77.50	77.00
West curb of 20th st.....	111.00	111.00	East curb of 30th st.....	77.50	77.00
East curb of 20th st.....	111.00	111.00	936. § 7.—GRADE OF F ST.		
West curb of Fitzge ald ave.....	109.50	109.50	West curb of 6th st.....	53.50	53.50
East curb of Fitzgerald ave.....	108.50	108.50	East curb of 6th st.....	54.00	54.00
West curb of 21st st.....	94.50	94.50	West curb of 7th st.....	63.00	63.00
East curb of 21st st.....	94.00	94.00	East curb of 7th st.....	63.50	63.50
West curb of 22d st.....	85.50	85.50	West curb of 8th st.....	69.00	69.00
East curb of 22d st.....	85.00	85.00	East curb of 8th st.....	69.50	69.50
West curb of 23d st.....	79.00	79.00	West curb of 9th st.....	67.00	67.00
East curb of 23d st.....	78.50	78.50	East curb of 9th st.....	67.50	67.50
West curb of 24th st.....	73.25	73.25	West curb of 10th st.....	68.50	68.50
East curb of 24th st.....	73.00	73.00	East curb of 10th st.....	69.00	69.00
West curb of 25th st.....	71.50	71.50	West curb of 11th st.....	70.00	70.00
East curb of 25th st.....	71.00	71.00	East curb of 11th st.....	70.50	70.50
West curb of 26th st.....	75.00	75.00	West curb of 12th st.....	74.00	74.00
East curb of 26th st.....	75.50	75.50	East curb of 12th st.....	74.50	74.50
West curb of 27th st.....	71.50	71.75	West curb of 13th st.....	76.00	76.00
East curb of 27th st.....	71.50	71.75	East curb of 13th st.....	76.50	76.50
935. § 6.—GRADE OF E ST.			West curb of 14th st.....	78.00	78.00
West curb of 6th st.....	55.00	55.00	East curb of 14th st.....	78.50	78.50
East curb of 6th st.....	55.50	55.50	West curb of 15th st.....	80.00	80.00
West curb of 8th st.....	70.50	71.00	East curb of 15th st.....	80.50	80.50
East curb of 8th st.....	70.50	71.00	West curb of 16th st.....	83.00	83.00
West curb of 9th st.....	72.50	72.50	East curb of 16th st.....	83.50	83.50
East curb of 9th st.....	73.00	73.00	West curb of 17th st.....	87.00	87.00
West curb of 10th st.....	74.50	74.50	East curb of 17th st.....	87.00	87.00
East curb of 10th st.....	74.50	74.50	West curb of 18th st.....	85.00	85.50
West curb of 11th st.....	71.00	71.00	East curb of 18th st.....	85.00	85.50
East curb of 11th st.....	71.50	71.50	West curb of 19th st.....	89.00	89.00
West curb of 12th st.....	73.50	73.50	East curb of 19th st.....	89.50	89.50
East curb of 12th st.....	73.80	73.80	West curb of 20th st.....	91.00	91.00
West curb of 13th st.....	75.80	75.80	East curb of 20th st.....	90.50	90.50
East curb of 13th st.....	76.10	76.10	West curb of 21st st.....	71.50	71.50
West curb of 14th st.....	77.10	77.10	East curb of 21st st.....	71.00	71.00
East curb of 14th st.....	77.40	77.40	West curb of 22d st.....	70.00	70.50
West curb of 15th st.....	78.40	78.40	East curb of 22d st.....	70.00	70.50
East curb of 15th st.....	78.80	78.80	West curb of 28th st.....	76.00	75.50
West curb of 16th st.....	79.80	79.80	East curb of 28th st.....	76.00	75.50
			West curb of Ulysses ave....	77.60	77.30
			East curb of Ulysses ave....	77.60	77.30

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 30th st.....	79.00	79.00
East curb of 30th st.....	79.50	79.50

937. § 8.—GRADE OF G ST.

West curb of 6th st.....	52.50	52.50
East curb of 6th st.....	53.00	53.00
West curb of 7th st.....	60.00	60.00
East curb of 7th st.....	60.50	60.50
West curb of 8th st.....	63.00	63.00
East curb of 8th st.....	63.50	63.50
West curb of 9th st.....	64.50	64.50
East curb of 9th st.....	65.00	65.00
West curb of 10th st.....	72.00	72.00
East curb of 10th st.....	72.50	72.50
West curb of 11th st.....	74.00	74.00
East curb of 11th st.....	74.50	74.50
West curb of 12th st.....	76.00	76.00
East curb of 12th st.....	76.50	76.50
West curb of 13th st.....	78.50	78.50
East curb of 13th st.....	79.00	79.00
West curb of 14th st.....	81.00	81.00
East curb of 14th st.....	81.50	81.50
West curb of 15th st.....	84.50	84.50
East curb of 15th st.....	85.00	85.00
West curb of 16th st.....	87.50	87.50
East curb of 16th st.....	88.00	88.00
Midway bet. 16th & 17th sts.	91.50	91.50
West curb of 17th st.....	89.00	88.50
East curb of 17th st.....	89.00	88.50
West curb of 18th st.....	82.50	82.50
East curb of 18th st.....	82.00	82.00
At a point 350 ft. east of 18th	84.00	84.00
West curb of Fitzgerald ave.	73.00	73.00
East curb of Fitzgerald ave.	72.00	72.00
West curb of 21st st.....	69.25	69.25
East curb of 21st st.....	69.00	69.00
West curb of 22d st.....	68.25	68.50
East curb of 22d st.....	68.25	68.50

938. § 9.—GRADE OF H ST.

West curb of 6th st.....	51.00	51.00
East curb of 6th st.....	51.50	51.50
West curb of 7th st.....	57.00	57.00
East curb of 7th st.....	57.50	57.50
West curb of 8th st.....	64.00	64.00
East curb of 8th st.....	64.50	64.50
West curb of 9th st.....	72.00	72.00
East curb of 9th st.....	72.50	72.50
West curb of 10th st.....	78.00	78.00
East curb of 10th st.....	78.50	78.50
West curb of 11th st.....	79.50	79.50
East curb of 11th st.....	80.00	80.00
West curb of 12th st.....	82.50	82.50
East curb of 12th st.....	83.00	83.00
West curb of 13th st.....	85.50	85.50
East curb of 13th st.....	86.00	86.00
West curb of 14th st.....	88.00	88.00
East curb of 14th st.....	88.50	88.50
West curb of 15th st.....	91.00	91.00
East curb of 15th st.....	91.50	91.50
West curb of 16th st.....	94.00	94.00
East curb of 16th st.....	94.00	94.00
West curb of 17th st.....	92.00	92.00
East curb of 17th st.....	92.00	92.00
West curb of 21st st.....	66.50	66.75
East curb of 21st st.....	66.50	66.75
West curb of 25th st.....	70.00	70.00
East curb of 25th st.....	70.50	70.50
West curb of 26th st.....	73.00	73.00

	Elev. of N. Curb.	Elev. of S. Curb.
East curb of 26th st.....	73.50	73.50
West curb of 27th st.....	76.50	76.50
East curb of 27th st.....	77.00	77.00

939. § 10.—GRADE OF J ST.

West curb of 6th st.....	50.00	50.00
East curb of 6th st.....	50.50	50.50
West curb of 7th st.....	63.50	63.50
East curb of 7th st.....	64.00	64.00
West curb of 8th st.....	71.50	71.50
East curb of 8th st.....	72.00	72.00
West curb of 9th st.....	76.00	76.00
East curb of 9th st.....	76.00	76.00
West curb of 10th st.....	81.00	81.00
East curb of 10th st.....	81.00	81.00
West curb of 11th st.....	84.00	83.50
East curb of 11th st.....	84.00	83.50
West curb of 12th st.....	87.00	87.00
East curb of 12th st.....	87.50	87.50
West curb of 13th st.....	89.00	89.00
East curb of 13th st.....	89.00	89.00
West curb of 14th st.....	91.00	91.00
East curb of 14th st.....	91.50	91.50
West curb of 16th st.....	93.00	93.00
East curb of 16th st.....	93.00	93.00
West curb of 17th st.....	88.50	89.00
East curb of 17th st.....	88.00	88.00
West curb of 18th st.....	79.00	79.00
East curb of 18th st.....	78.50	78.50
West curb of 19th st.....	67.00	67.00
East curb of 19th st.....	66.50	66.50
West curb of 20th st.....	63.80	64.00
East curb of 20th st.....	63.80	64.00
West curb of 21st st.....	65.00	65.00
East curb of 21st st.....	65.25	65.25
West curb of Antelope st..	67.00	67.00
East curb of Antelope st..	67.50	67.50
West curb of 25th st.....	.....	75.00
East curb of 25th st.....	.....	75.50
West curb of Evergreen st..	75.00	.....
East curb of Evergreen st..	75.50	.....
West curb of 26th st.....	77.00	77.00
East curb of 26th st.....	77.50	77.50
West curb of 27th st.....	81.50	81.50
East curb of 27th st.....	82.00	82.00

940. § 11.—GRADE OF K ST.

West curb of 6th st.....	51.50	51.50
East curb of 6th st.....	52.00	52.00
West curb of 7th st.....	55.00	55.00
East curb of 7th st.....	55.50	55.50
West curb of 8th st.....	63.00	63.50
East curb of 8th st.....	63.00	63.50
West curb of 9th st.....	71.50	72.00
East curb of 9th st.....	71.50	72.00
West curb of 10th st.....	80.00	80.50
East curb of 10th st.....	80.00	80.50
West curb of 11th st.....	81.50	82.00
East curb of 11th st.....	81.50	82.00
West curb of 12th st.....	85.00	85.50
East curb of 12th st.....	85.00	85.50
West curb of 13th st.....	84.00	84.50
East curb of 13th st.....	84.00	84.50
West curb of 14th st.....	87.00	87.50
East curb of 14th st.....	87.00	87.50
West curb of 15th st.....	92.00	92.00
East curb of 15th st.....	92.00	92.00
West curb of 16th st.....	88.00	88.50
East curb of 16th st.....	88.00	88.50

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 17th st.....	82.50	83.00
East curb of 17th st.....	82.50	83.00
West curb of 18th st.....	78.00	78.00
East curb of 18th st.....	77.50	77.50
West curb of 19th st.....	64.50	64.50
East curb of 19th st.....	64.00	64.00
West curb of 20th st.....	62.60	62.80
East curb of 20th st.....	62.60	62.80
West curb of 21st st.....	64.00	64.00
East curb of 21st st.....	64.25	65.25
West curb of 26th st.....	80.00	79.50
East curb of 26th st.....	80.00	79.50
West curb of 27th st.....	86.50	86.50
East curb of 27th st.....	87.00	87.00

941. § 12.—GRADE OF L ST.

West curb of 6th st.....	49.50	49.50
East curb of 6th st.....	50.00	50.00
West curb of 7th st.....	51.00	51.00
East curb of 7th st.....	51.50	51.50
West curb of 8th st.....	54.00	54.00
East curb of 8th st.....	54.50	54.50
West curb of 9th st.....	67.00	67.50
East curb of 9th st.....	67.00	67.50
West curb of 10th st.....	74.00	74.50
East curb of 10th st.....	74.00	74.50
West curb of 11th st.....	76.00	76.50
East curb of 11th st.....	76.00	76.50
West curb of 12th st.....	77.00	77.50
East curb of 12th st.....	77.00	77.50
West curb of 13th st.....	78.00	78.50
East curb of 13th st.....	78.00	78.50
West curb of 14th st.....	79.00	79.50
East curb of 14th st.....	79.00	79.50
West curb of 15th st.....	80.50	81.00
East curb of 15th st.....	80.50	81.00
West curb of 16th st.....	82.00	82.50
East curb of 16th st.....	82.00	82.50
West curb of 17th st.....	78.00	78.50
East curb of 17th st.....	78.00	78.50
West curb of 18th st.....	79.00	79.50
East curb of 18th st.....	79.00	79.50
West curb of 19th st.....	65.50	66.00
East curb of 19th st.....	65.60	65.90
West curb of 20th st.....	61.40	61.60
East curb of 20th st.....	61.40	61.60
West curb of 21st st.....	62.70	63.00
East curb of 21st st.....	62.70	63.00
West curb of 26th st.....	82.00	81.50
East curb of 26th st.....	82.00	81.50
West curb of 27th st.....	92.00	91.50
East curb of 27th st.....	90.00	89.50

942. § 13.—GRADE OF M ST.

West curb of 6th st.....	46.50	46.50
East curb of 6th st.....	47.00	47.00
West curb of 7th st.....	48.20	48.20
East curb of 7th st.....	48.50	48.50
West curb of 8th st.....	51.50	51.50
East curb of 8th st.....	52.00	52.00
West curb of 9th st.....	58.50	58.50
East curb of 9th st.....	59.00	59.00
West curb of 10th st.....	67.50	68.00
East curb of 10th st.....	67.50	68.00
West curb of 11th st.....	71.00	71.50
East curb of 11th st.....	71.00	71.50
West curb of 12th st.....	72.50	73.00
East curb of 12th st.....	72.50	73.00
West curb of 13th st.....	73.50	74.00

East curb of 13th st.....	73.50	74.00
West curb of 14th st.....	74.50	75.00
East curb of 14th st.....	74.50	75.00
West curb of 15th st.....	75.00	75.50
East curb of 15th st.....	75.00	75.50
West curb of 16th st.....	76.50	77.00
East curb of 16th st.....	76.50	77.00
West curb of 17th st.....	73.50	74.00
East curb of 17th st.....	73.50	74.00
West curb of 18th st.....	72.50	73.00
East curb of 18th st.....	72.50	73.00
West curb of 19th st.....	62.00	62.50
East curb of 19th st.....	62.30	62.60
West curb of 20th st.....	60.20	60.40
East curb of 20th st.....	60.20	60.40
West curb of 21st st.....	61.40	61.80
East curb of 21st st.....	61.40	61.80

943. § 14.—GRADE OF N ST.

West curb of 6th st.....	47.60	47.60
East curb of 6th st.....	48.00	48.00
West curb of 7th st.....	49.95	50.17
East curb of 7th st.....	49.95	49.75
West curb of 8th st.....	51.00	51.00
East curb of 8th st.....	51.50	51.50
West curb of 9th st.....	59.50	60.33
East curb of 9th st.....	60.00	60.83
West curb of 10th st.....	68.75	68.75
East curb of 10th st.....	69.20	69.20
West curb of 11th st.....	68.00	68.00
East curb of 11th st.....	67.40	67.40
West curb of 12th st.....	69.20	69.20
East curb of 12th st.....	69.60	69.60
West curb of 13th st.....	70.40	70.40
East curb of 13th st.....	70.80	70.80
West curb of 14th st.....	71.60	71.60
East curb of 14th st.....	71.50	72.00
West curb of 15th st.....	72.80	72.80
East curb of 15th st.....	72.60	72.60
West curb of 16th st.....	73.00	73.40
East curb of 16th st.....	73.00	73.40
West curb of 17th st.....	71.50	71.50
East curb of 17th st.....	71.00	71.00
West curb of 18th st.....	69.00	69.00
East curb of 18th st.....	68.50	68.50
West curb of 19th st.....	61.00	61.00
East curb of 19th st.....	60.50	60.50
West curb of 20th st.....	59.50	59.50
East curb of 20th st.....	59.30	59.30
West curb of 21st st.....	58.00	58.30
East curb of 21st st.....	58.00	58.30
West curb of 23d st.....	61.80	61.80
East curb of 23d st.....	62.10	62.10
At 400 feet east of 23d st.....	66.00	66.00
West curb of 25th st.....	75.50	75.50
East curb of 25th st.....	76.50	76.50
West curb of 26th st.....	90.50	90.50
East curb of 26th st.....	91.50	91.50
West curb of 27th st.....	105.50	105.50

944. § 15.—GRADE OF O ST.

East curb of 4th st.....	46.50	46.50
West curb of 5th st.....	48.00	48.00
East curb of 5th st.....	48.50	48.50
West curb of 6th st.....	49.50	49.50
East curb of 6th st.....	50.00	50.00
West curb of 7th st.....	52.00	52.00
East curb of 7th st.....	52.39	52.00
West curb of 8th st.....	56.50	56.50

	Elev. of N. Curb.	Elev. of S. Curb.
East curb of 8th st.....	58.00	57.00
At east curb of alley.....	64.21	
West curb of 9th st.....	71.00	70.50
East curb of 9th st.....	71.00	70.50
West curb of 10th st.....	74.00	73.50
East curb of 10th st.....	74.00	73.50
West curb of 11th st.....	69.00	68.00
East curb of 11th st.....	70.00	68.00
West curb of 12th st.....	66.00	66.00
East curb of 12th st.....	66.00	66.00
West curb of 13th st.....	67.00	67.00
East curb of 13th st.....	67.30	67.30
West curb of 14th st.....	68.30	68.30
East curb of 14th st.....	68.60	68.60
West curb of 15th st.....	69.60	69.60
East curb of 15th st.....	70.00	70.00
West curb of 16th st.....	71.00	71.00
East curb of 16th st.....	71.30	71.30
West curb of 17th st.....	70.00	70.00
East curb of 17th st.....	69.50	69.50
West curb of 18th st.....	67.50	67.50
East curb of 18th st.....	67.00	67.00
West curb of 19th st.....	64.50	64.50
East curb of 19th st.....	64.00	64.00
West curb of 20th st.....	58.00	58.50
East curb of 20th st.....	58.00	58.50
West curb of 21st st.....	58.50	59.00
East curb of 21st st.....	58.50	59.00
West curb of 22d st.....	60.50	60.50
East curb of 22d st.....	61.00	61.00
West curb of 23d st.....	63.00	62.80
East curb of 23d st.....	63.40	63.20
West curb of 24th st.....	67.00	67.00
East curb of 24th st.....	68.00	68.00
West curb of 25th st.....	76.50	76.50
East curb of 25th st.....	77.50	77.50
West curb of 26th st.....	91.50	91.50
East curb of 26th st.....	92.00	92.00
West curb of 27th st.....	96.50	96.50
East curb of 27th st.....	97.00	97.00
At a point midway between 27th and 28th.....	98.50	98.50
West curb of 28th st.....	97.00	97.50
East curb of 28th st.....	96.50	97.00
West curb of 29th st.....	94.80	95.20
East curb of 29th st.....	94.80	95.20
West curb of 30th st. south.....		103.00
East curb of 30th st. south.....		104.00
West curb of 30th st. north.....	110.00	
East curb of 30th st. north.....	111.00	
At a point seventy-five feet east of east curb of 30th st. north.....	114.00	
West curb of 31st st.....	117.30	117.00
East curb of 21st st.....	117.60	117.30
West curb of 32d st.....	119.00	
East curb of 32d st.....	119.50	
West curb of 33d st.....	124.00	124.00
East curb of 33d st.....	124.50	124.50

945. § 16.—GRADE OF P ST.

East curb of 7th st.....	52.10	51.35
West curb of 8th st.....	61.00	61.00
East curb of 8th st.....	62.00	62.00
West curb of 9th st.....	77.00	77.00
East curb of 9th st.....	77.00	77.00
West curb of 10th st.....	76.00	75.50
East curb of 10th st.....	76.00	75.50
West curb of 11th st.....	72.60	72.20

East curb of 11th st.....	72.60	72.20
West curb of 12th st.....	69.20	68.80
East curb of 12th st.....	69.20	68.80
West curb of 13th st.....	68.10	67.90
East curb of 13th st.....	68.10	67.90
West curb of 14th st.....	68.70	68.70
East curb of 14th st.....	69.00	69.00
Midway between 14th and 16th sts.....	68.00	68.00
West curb of 16th st.....	73.00	72.50
East curb of 16th st.....	73.00	72.50
West curb of 17th st.....	69.00	69.00
East curb of 17th st.....	68.50	68.50
West curb of 18th st.....	65.50	65.50
East curb of 18th st.....	65.00	65.00
West curb of 19th st.....	59.50	60.00
East curb of 19th st.....	59.50	60.00
West curb of 20th st.....	55.90	56.30
East curb of 20th st.....	55.90	56.30
West curb of 21st st.....	57.00	57.50
East curb of 21st st.....	57.00	57.50
West curb of 22d st.....	58.80	59.30
East curb of 22d st.....	58.80	59.30
West curb of 23d st.....	60.80	61.30
East curb of 23d st.....	60.80	61.30
West curb of 24th st.....	66.50	66.00
East curb of 24th st.....	66.50	66.00
West curb of 25th st.....	79.00	79.00
East curb of 25th st.....	79.50	79.50
West curb of 26th st.....	83.00	83.00
East curb of 26th st.....	83.50	83.50
West curb of 27th st.....	85.75	86.25
East curb of 27th st.....	85.75	86.25
West curb of 28th st.....	87.00	87.00
East curb of 28th st.....	87.50	87.50
West curb of 29th st.....	91.50	91.50
East curb of 29th st.....	92.00	92.00
West curb of 30th st.....	103.50	103.50
East curb of 30th st.....	104.00	104.00
West curb of 31st st.....	108.50	108.50
East curb of 31st st.....	109.00	109.00
West curb of 32d st.....	114.00	114.00
East curb of 32d st.....	114.50	114.50

946. § 17.—GRADE OF Q ST.

East curb of 7th st.....	52.00	53.80
West curb of 8th st.....	62.00	62.00
East curb of 8th st.....	63.00	63.00
West curb of 9th st.....	73.50	74.00
East curb of 9th st.....	73.50	74.00
West curb of 10th st.....	78.00	78.00
East curb of 10th st.....	78.00	78.00
West curb of 11th st.....	74.20	73.80
East curb of 11th st.....	74.20	73.80
West curb of 12th st.....	70.60	70.20
East curb of 12th st.....	70.60	70.20
West curb of 13th st.....	70.90	70.60
East curb of 13th st.....	70.90	70.60
West curb of 14th st.....	71.40	71.00
East curb of 14th st.....	71.40	71.00
Midway between 14th and 16th sts.....	73.00	73.00
West curb of 16th st.....	71.00	71.00
East curb of 16th st.....	70.50	70.50
West curb of 17th st.....	67.50	67.50
East curb of 17th st.....	67.00	67.00
West curb of 18th st.....	62.00	62.00
East curb of 18th st.....	61.50	61.50
West curb of 19th st.....	55.00	55.50

	Elev. of N. Curb.	Elev. of S. Curb.
East curb of 19th st.....	55.00	55.50
West curb of 20th st.....	53.80	54.20
East curb of 20th st.....	53.80	54.20
West curb of 21st st.....	55.20	55.40
East curb of 21st st.....	55.20	55.40
West curb of 22d st.....	57.00	57.00
East curb of 22d st.....	57.50	57.50
West curb of 23d st.....	58.50	58.50
East curb of 23d st.....	59.00	59.00
West curb of 24th st.....	69.00	69.00
East curb of 24th st.....	69.50	69.50
West curb of 25th st.....	75.00	75.00
East curb of 25th st.....	75.50	75.50
West curb of 26th st.....	77.50	77.50
East curb of 26th st.....	78.00	78.00
West curb of 27th st.....	80.00	80.00
East curb of 27th st.....	80.50	80.50
West curb of 28th st.....	83.00	83.00
East curb of 28th st.....	83.50	83.50
West curb of 29th st.....	88.00	88.00
East curb of 29th st.....	88.50	88.50
West curb of 30th st. north.....	92.50	92.50
East curb of 30th st. north.....	93.00	93.00
West curb of 30th st. at angle.....	94.50	94.00
East curb of 30th st.....	96.00	97.00
West curb of 31st st.....	99.00	99.00
East curb of 31st st.....	99.50	99.50

947. § 18.—GRADE OF R ST.

East curb of 7th st.....	53.00	53.00
West curb of 8th st.....	60.00	60.00
East curb of 8th st.....	60.50	60.50
West curb of 9th st.....	70.00	70.50
East curb of 9th st.....	70.00	70.50
West curb of 10th st.....	76.80	77.20
East curb of 10th st.....	76.80	77.20
West curb of 11th st.....	.....	74.50
Midway between 10th and 12th sts.....	75.00	.....
East curb of 11th st.....	.....	74.75
West curb of 12th st.....	72.50	72.25
East curb of 12th st.....	73.00	72.50
West curb of 13th st.....	72.20	71.90
East curb of 13th st.....	72.20	71.90
West curb of 14th st.....	73.00	73.00
East curb of 14th st.....	73.00	73.00
Midway between 14th and 16th sts.....	74.00	74.00
West curb of 16th st.....	72.50	72.50
East curb of 16th st.....	72.00	72.00
West curb of 17th st.....	69.00	69.00
East curb of 17th st.....	68.50	68.50
West curb of 18th st.....	56.50	56.50
East curb of 18th st.....	56.00	56.00
West curb of 19th st.....	53.00	53.00
East curb of 19th st.....	52.50	52.50
West curb of 20th st.....	52.05	51.50
East curb of 20th st.....	52.20	51.50
West curb of 21st st.....	53.50	53.50
East curb of 21st st.....	54.00	54.00
West curb of 22d st.....	54.60	55.50
East curb of 22d st.....	54.80	56.00
West curb of 23d st.....	57.50	57.50
East curb of 23d st.....	57.80	57.80
West curb of 24th st.....	66.50	66.50
East curb of 24th st.....	67.00	67.00
West curb of 25th st.....	71.50	71.50
East curb of 25th st.....	72.00	72.00
West curb of 26th st.....	73.50	73.50

East curb of 26th st.....	74.00	74.00
West curb of 27th st.....	76.00	76.00
East curb of 27th st.....	75.00	75.50
West curb of 28th st.....	78.00	78.40
East curb of 28th st.....	78.40	78.80
West curb of 29th st.....	82.00	82.00
East curb of 29th st.....	82.40	82.40
West curb of 30th st. north.....	84.00	84.00
East curb of 30th st. north.....	84.40	84.40
West curb of 30th st. south.....	85.80	85.80
East curb of 30th st. south.....	86.20	86.20
West curb of 32d st.....	95.75	95.00
East curb of 32d st.....	96.15	95.40
West curb of 33d st.....	99.00	99.00
East curb of 33d st.....	99.50	99.50

948. § 19.—GRADE OF S ST.

West curb of 8th st.....	57.00	57.00
East curb of 8th st.....	57.50	57.50
West curb of 9th st.....	64.00	65.00
East curb of 9th st.....	65.50	65.50
West curb of 10th st.....	75.70	76.00
East curb of 10th st.....	75.70	76.00
West curb of 12th st.....	78.50	78.50
East curb of 12th st.....	78.00	78.00
West curb of 13th st.....	74.50	74.20
East curb of 13th st.....	74.50	74.20
West curb of 14th st.....	71.00	71.50
East curb of 14th st.....	71.00	71.50
West curb of 16th st.....	75.00	75.00
East curb of 16th st.....	75.50	75.50
West curb of 19th st.....	51.80	52.00
East curb of 19th st.....	51.80	52.00

A point 170 feet east of the east line of 19th st.....

.....	53.00	53.00
West curb of 20th st.....	51.00	51.00
East curb of 20th st.....	51.00	51.00
West curb of 22d st.....	54.20	54.40
East curb of 22d st.....	54.20	54.40
West curb of 23d st.....	58.50	58.50
East curb of 23d st.....	58.80	58.80
West curb of 24th st.....	70.50	70.50
East curb of 24th st.....	71.00	71.00
West curb of 25th st.....	75.50	75.50
East curb of 25th st.....	75.50	75.50
West curb of 26th st.....	72.00	72.50
East curb of 26th st.....	72.00	72.50
West curb of 27th st.....	73.80	73.80
East curb of 27th st.....	74.00	74.00
West curb of 28th st.....	76.00	76.00
East curb of 28th st.....	76.30	76.30
West curb of 30th st.....	80.00	80.00
East curb of 30th st.....	80.50	80.50

949. § 20.—GRADE OF T ST.

West curb of 9th st.....	62.00	62.00
East curb of 9th st.....	62.50	62.50
West curb of 10th st.....	73.00	73.50
East curb of 10th st.....	73.00	73.50
West curb of 11th st.....	72.00	72.50
East curb of 11th st.....	72.00	72.50
West curb of 12th st.....	74.00	74.50
East curb of 12th st.....	74.00	74.50
West curb of 13th st.....	77.00	77.00
East curb of 13th st.....	77.00	77.00
West curb of 14th st.....	69.00	69.50
East curb of 14th st.....	69.00	69.50
West curb of 19th st.....	50.80	51.00
East curb of 19th st.....	50.80	51.00

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 20th st.....	52.00	52.00
East curb of 20th st.....	52.00	52.00
West curb of 22d st.....	53.00	53.20
East curb of 22d st.....	53.00	53.20
West curb of 23d st.....	57.30	57.30
East curb of 23d st.....	57.80	57.50
West curb of 24th st.....	66.50	67.00
East curb of 24th st.....	66.50	67.00
West curb of 25th st.....	71.00	71.50
East curb of 25th st.....	71.00	71.50
West curb of 26th st.....	70.00	70.50
East curb of 26th st.....	70.00	70.50
West curb of 27th st.....	71.80	72.00
East curb of 27th st.....	71.80	72.00
West curb of 28th st.....	74.00	74.50
East curb of 28th st.....	74.00	74.50
West curb of 30th st.....	77.00	77.50
East curb of 30th st.....	77.00	77.50

950. § 21.—GRADE OF U ST.

West curb of 9th st.....	59.50	60.00
East curb of 9th st.....	59.50	60.00
West curb of 10th st.....	64.50	65.00
East curb of 10th st.....	64.50	65.00
West curb of 11th st.....	69.50	70.00
East curb of 11th st.....	69.50	70.00
West curb of 12th st.....	72.50	73.00
East curb of 12th st.....	72.50	73.00
West curb of 13th st.....	69.50	70.00
East curb of 13th st.....	69.50	70.00
West curb of 14th st.....	66.50	67.00
East curb of 14th st.....	66.50	67.00
West curb of 19th st.....	50.00	50.00
East curb of 19th st.....	49.80	49.80
A point 35 feet west of the west line of 20th st.....	48.50	48.50
West curb of 20th st.....	49.50	49.50
East curb of 20th st.....	49.70	49.70
West curb of 22d st.....	51.70	51.70
East curb of 22d st.....	52.00	52.00
West curb of 23d st., run- ning west.....	58.60	58.50
West curb of 23d st., run- ning east.....	59.00	59.00
East curb of 23d st.....	59.30	59.30
West curb of 24th st.....	64.00	64.50
East curb of 24th st.....	64.00	64.50
West curb of 25th st.....	67.00	67.50
East curb of 25th st.....	67.00	67.50
West curb of 26th st.....	68.70	69.00
East curb of 26th st.....	68.70	69.00

951. § 22.—GRADE OF V ST.

East curb of 12th st.....	65.00	65.50
West curb of University av.	62.60	.....
East curb of University av.	62.20	.....
West curb of 13th st.....	.....	60.90
East curb of 13th st.....	.....	60.60
West curb of Lincoln st.....	59.50	60.00
East curb of Lincoln st.....	59.50	60.00
West curb of 14th st.....	62.50	63.00

952. § 23.—GRADE OF 6TH STREET.

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of A st.....	67.00	67.50
North curb of A st.....	67.00	67.50

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of B st.....	61.00	61.50
North curb of B st.....	61.00	61.50
South curb of C st.....	55.00	55.50
North curb of C st.....	55.00	55.50
South curb of D st.....	58.00	58.50
North curb of D st.....	58.00	58.50
South curb of E st.....	55.00	55.50
North curb of E st.....	55.00	55.50
South curb of F st.....	53.50	54.00
North curb of F st.....	53.50	54.00
South curb of G st.....	52.50	53.00
North curb of G st.....	52.50	53.00
South curb of H st.....	51.00	51.50
North curb of H st.....	51.00	51.50
South curb of J st.....	50.00	50.50
North curb of J st.....	50.00	50.50
South curb of K st.....	51.50	52.00
North curb of K st.....	51.50	52.00
South curb of L st.....	49.50	50.00
North curb of L st.....	49.50	50.00
South curb of M st.....	46.50	47.00
North curb of M st.....	46.50	47.00
South curb of N st.....	47.60	48.00
North curb of N st.....	47.60	48.00
South curb of O st.....	49.50	50.00
North curb of O st.....	49.50	50.00

953. § 24.—GRADE OF 7TH STREET.

South curb of A st.....	77.50	77.50
North curb of A st.....	77.50	77.50
South curb of B st.....	62.50	63.00
North curb of B st.....	62.50	63.00
South curb of C st.....	58.00	58.50
North curb of C st.....	58.00	58.50
South curb of D st.....	63.50	64.00
North curb of D st.....	63.50	64.00
South curb of E st.....	63.00	63.50
North curb of E st.....	63.00	63.50
South curb of F st.....	60.00	60.50
North curb of F st.....	60.00	60.50
South curb of G st.....	57.00	57.50
North curb of G st.....	57.00	57.50
South curb of H st.....	57.00	57.50
North curb of H st.....	57.00	57.50
South curb of J st.....	63.50	64.00
North curb of J st.....	63.50	64.00
South curb of K st.....	55.00	55.50
North curb of K st.....	55.00	55.50
South curb of L st.....	51.00	51.50
North curb of L st.....	51.00	51.50
South curb of M st.....	48.20	48.50
North curb of M st.....	48.20	48.50
South curb of N st.....	50.17	49.75
North curb of N st.....	49.95	49.95
South curb of O st.....	52.00	52.00
North curb of O st.....	52.00	52.39
South curb of P st.....	.....	51.35
North curb of P st.....	.....	52.10
South curb of Q st.....	.....	53.80
North curb of Q st.....	.....	52.00
South curb of R st.....	53.00	53.00
North curb of R st.....	53.00	53.00

954. § 25.—GRADE OF 8TH STREET.

South curb of South st.....	66.00	66.00
North curb of South st.....	66.50	66.50
South curb of Plum st.....	68.50	68.50
North curb of Plum st.....	69.00	69.00
South curb of Peach st.....	72.50	72.50

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
North curb of Peach st.....	73.00	73.00	South curb of C st.....	68.50	69.00
South curb of Rose st.....	76.50	76.50	North curb of C st.....	68.50	69.00
North curb of Rose st.....	77.00	77.00	South curb of D st.....	73.50	74.00
South curb of Pine st.....	80.00	80.00	North curb of D st.....	73.50	74.00
North curb of Pine st.....	80.50	80.50	South curb of E st.....	72.50	73.00
South curb of Wood st.....	84.00	84.00	North curb of E st.....	72.50	73.00
North curb of Wood st.....	84.00	83.00	South curb of F st.....	67.00	67.50
South curb of Washing't'n st	81.50	81.00	North curb of F st.....	67.00	67.50
North curb of Washing't'n st	81.50	81.00	South curb of G st.....	64.50	65.00
South curb of A st.....	76.00	75.50	North curb of G st.....	64.50	65.00
North curb of A st.....	76.00	75.50	South curb of H st.....	72.00	72.50
South curb of B st.....	64.00	64.50	North curb of H st.....	72.00	72.50
North curb of B st.....	64.00	64.50	South curb of J st.....	76.00	76.00
South curb of C st.....	62.00	62.50	North curb of J st.....	76.00	76.00
North curb of C st.....	62.00	62.50	South curb of K st.....	72.00	72.00
South curb of D st.....	72.00	72.50	North curb of K st.....	71.50	71.50
North curb of D st.....	72.00	72.50	South curb of L st.....	67.50	67.50
South curb of E st.....	71.00	71.00	North curb of L st.....	67.00	67.00
North curb of E st.....	70.50	70.50	South curb of M st.....	58.50	59.00
South curb of F st.....	69.00	69.50	North curb of M st.....	58.50	59.00
North curb of F st.....	69.00	69.50	South curb of N st.....	60.33	60.83
South curb of G st.....	63.00	63.50	North curb of N st.....	59.50	60.00
North curb of G st.....	63.00	63.50	South curb of O st.....	70.50	70.50
South curb of H st.....	64.00	64.50	North curb of O st.....	71.00	71.00
North curb of H st.....	64.00	64.50	South curb of P st.....	77.00	77.00
South curb of J st.....	71.50	72.00	North curb of P st.....	77.00	77.00
North curb of J st.....	71.50	72.00	South curb of Q st.....	74.00	74.00
South curb of K st.....	63.50	63.50	North curb of Q st.....	73.50	73.50
North curb of K st.....	63.00	63.00	South curb of R st.....	70.50	70.50
South curb of L st.....	54.00	54.50	North curb of R st.....	70.00	70.00
North curb of L st.....	54.00	54.50	South curb of S st.....	65.00	65.50
South curb of M st.....	51.50	52.00	North curb of S st.....	64.00	65.50
North curb of M st.....	51.50	52.00	South curb of T st.....	62.00	62.50
South curb of N st.....	51.00	51.50	North curb of T st.....	62.00	62.50
North curb of N st.....	51.00	51.50	South curb of U st.....	60.00	60.00
South curb of O st.....	56.50	57.00	North curb of U st.....	59.50	59.50
North curb of O st.....	56.50	58.00	North curb of alley between		
South curb of P st.....	61.00	62.00	U and V sts.....	57.00	57.00
North curb of P st.....	61.00	62.00	South curb of V st.....	55.20	55.20
South curb of Q st.....	62.00	63.00	North curb of V st.....	54.80	54.80
North curb of Q st.....	62.00	63.00	At a point 55 ft. north of		
South curb of R st.....	60.00	60.50	north line of V st.....	54.00	54.00
North curb of R st.....	60.00	60.50	At a point 124 ft. north of		
South curb of S st.....	57.00	57.50	north line of V st.....	53.20	53.20
North curb of S st.....	57.00	57.50	At a point 229 ft. north of		
955. § 26.—GRADE OF 9TH STREET.			north line of V st.....	50.50	50.50
South curb of South st.....	71.50	72.00	South curb of W st.....	50.50	50.50
North curb of South st.....	71.50	72.00	North curb of W st.....	49.50	49.50
South curb of Plum st.....	73.50	74.00	South curb of X st.....	47.50	47.50
North curb of Plum st.....	73.50	74.00	North curb of X st.....	47.00	47.00
South curb of Peach st.....	75.50	76.00	South curb of Y st.....	45.50	45.50
North curb of Peach st.....	75.50	76.00	956. § 27.—GRADE OF 10TH STREET.		
South curb of Rose st.....	78.00	78.30	South curb of South st.....	81.00	81.50
North curb of Rose st.....	78.00	78.30	North curb of South st.....	81.00	81.50
South curb of Pine st.....	83.50	84.00	South curb of Plum st.....	80.00	80.50
North curb of Pine st.....	83.50	84.00	North curb of Plum st.....	80.00	80.50
South curb of Wood st.....	82.50	82.50	South curb of Peach st.....	79.00	79.50
North curb of Wood st.....	82.00	82.00	North curb of Peach st.....	79.00	79.50
South curb of Washing't'n st	79.00	78.50	South curb of Rose st.....	82.00	82.00
North curb of Washing't'n st	79.00	78.50	North curb of Rose st.....	82.50	82.50
South curb of A st.....	74.00	73.50	South curb of Pine st.....	85.00	85.00
North curb of A st.....	74.00	73.50	North curb of Pine st.....	85.00	85.00
South curb of B st.....	65.50	66.00	South curb of Wood st.....	80.50	80.50
North curb of B st.....	65.50	66.00	North curb of Wood st.....	80.00	80.00
South line of alley next			South curb of Washing't'n st	75.00	74.50
north.....	66.50	66.50	North curb of Washing't'n st	75.00	74.50
North line of alley next			South curb of A st.....	72.00	71.50
north.....	66.50	66.50	North curb of A st.....	72.00	71.50

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
South curb of B st.....	67.00	67.50	South curb of C st.....	72.00	72.50
North curb of B st.....	67.00	67.50	North curb of C st.....	72.00	72.50
South curb of C st.....	70.50	71.00	South line of alley next		
North curb of C st.....	70.50	71.00	north of C st.....	73.50	73.50
South curb of D st.....	75.00	75.00	North line of alley next		
North curb of D st.....	75.00	75.00	north of C st.....	73.50	73.50
South curb of E st.....	74.50	74.50	South curb of D st.....	72.00	72.50
North curb of E st.....	74.50	74.50	South curb of D st.....	72.00	72.50
South curb of F st.....	68.50	69.00	South curb of E st.....	71.00	71.50
North curb of F st.....	68.50	69.00	North curb of E st.....	71.00	71.50
South curb of G st.....	72.00	72.50	South curb of F st.....	70.00	70.50
North curb of G st.....	72.00	72.50	North curb of F st.....	70.00	70.50
South curb of H st.....	78.00	78.50	South curb of G st.....	74.00	74.50
North curb of H st.....	78.00	78.50	North curb of G st.....	74.00	74.50
South curb of J st.....	81.00	81.00	South curb of H st.....	79.50	80.00
North curb of J st.....	81.00	81.00	North curb of H st.....	79.50	80.00
South curb of K st.....	80.50	80.50	South curb of J st.....	83.50	83.50
North curb of K st.....	80.00	80.00	North curb of J st.....	84.00	84.00
South curb of L st.....	74.50	74.50	South curb of K st.....	82.00	82.00
North curb of L st.....	74.00	74.00	North curb of K st.....	81.50	81.50
South curb of M st.....	68.00	68.00	South curb of L st.....	76.50	76.50
North curb of M st.....	67.50	67.50	North curb of L st.....	76.00	76.00
South curb of N st.....	68.75	69.20	South curb of M st.....	71.50	71.50
North curb of N st.....	68.75	69.20	North curb of M st.....	71.00	71.00
South curb of O st.....	73.50	73.50	South curb of N st.....	68.00	67.40
North curb of O st.....	74.00	74.00	North curb of N st.....	68.00	67.40
South curb of P st.....	75.50	75.50	North line of alley between		
North curb of P st.....	76.00	76.00	N and O sts.....	66.25	66.25
South curb of Q st.....	78.00	78.00	South curb of O st.....	68.00	68.00
North curb of Q st.....	78.00	78.00	North curb of O st.....	69.00	70.00
South curb of R st.....	77.20	77.20	South curb of P st.....	72.20	72.20
North curb of R st.....	76.80	76.80	North curb of P st.....	72.60	72.60
South curb of S st.....	76.00	76.00	South curb of Q st.....	73.80	73.80
North curb of S st.....	75.70	75.70	North curb of Q st.....	74.20	74.20
South curb of T st.....	73.50	73.50	South curb of R st.....	74.50	74.75
North curb of T st.....	73.00	73.00	North curb of R st., at cen-		
South curb of U st.....	65.00	65.00	ter of Eleventh st.....	75.00	.....
North curb of U st.....	64.50	64.50	South curb of T st.....	72.50	72.50
South curb of V st.....	58.00	58.00	North curb of T st.....	72.00	72.00
North curb of V st.....	57.50	57.50	South curb of U st.....	70.00	70.00
South curb of W st.....	51.50	51.50	North curb of U st.....	69.50	69.50
North curb of W st.....	51.00	51.00	South curb of V st.....	58.00	58.00
Missouri Pacific R. R.....	50.60	50.60	North curb of V st.....	57.00	57.00
B. & M. R. R.....	49.70	49.70	South curb of W st.....	51.50	51.50
South curb of X st.....	49.00	49.00	North curb of W st.....	51.00	51.00
North curb of X st.....	48.50	48.50	Missouri Pacific R. R.....	50.00	50.00
South curb of Y st.....	47.00	47.00	B. & M. R. R.....	50.00	50.00
North curb of Y st.....	47.00	47.00	South curb of Y st.....	49.00	49.00
			North curb of Y st.....	49.00	49.00

957. § 28.—GRADE OF 11TH STREET.

South curb of South st.....	86.00	86.50
North curb of South st.....	86.00	86.50
South curb of Plum st.....	85.00	85.00
North curb of Plum st.....	84.50	84.50
South curb of Peach st.....	83.50	83.50
North curb of Peach st.....	83.00	83.00
South curb of Rose st.....	80.80	81.10
North curb of Rose st.....	80.80	81.10
South curb of Pine st.....	80.30	80.30
North curb of Pine st.....	80.00	80.00
South curb of Wood st.....	79.00	79.00
North curb of Wood st.....	78.50	78.50
South curb of Washing't'n st	73.00	73.00
North curb of Washing't'n st	72.50	72.50
South curb of A st.....	70.50	70.50
North curb of A st.....	70.00	70.00
South curb of B st.....	68.50	69.00
North curb of B st.....	68.50	69.00

958. § 29.—GRADE OF 12TH STREET.

South curb of South st.....	88.00	88.50
North curb of South st.....	88.00	88.50
South curb of Plum st.....	87.00	87.00
North curb of Plum st.....	86.50	86.50
South curb of Peach st.....	84.50	84.50
North curb of Peach st.....	84.00	84.00
South curb of Rose st.....	82.30	82.60
North curb of Rose st.....	82.30	82.60
South curb of Pine st.....	80.50	80.50
North curb of Pine st.....	80.00	80.00
South curb of Wood st.....	76.50	77.00
North curb of Wood st.....	76.50	77.00
South curb of Washington st	75.00	75.00
North curb of Washington st	74.50	74.50
South curb of A st.....	71.00	71.50
North curb of A st.....	71.00	71.50
South curb of B st.....	69.50	70.00

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
North curb of B st.....	69.50	70.00	South curb of Furnas st.....	72.00	72.00
South curb of C st.....	74.00	74.50	North curb of Furnas st.....	72.50	72.50
North curb of C st.....	74.00	74.50	South curb of Butler st.....	82.50	82.50
South line of alley next north of C st.....	75.00	75.00	North curb of Butler st.....	83.00	83.00
North line of alley next north of C st.....	75.00	75.00	South curb of Adams st.....	87.00	87.00
South curb of D st.....	73.50	74.00	North curb of Adams st.....	87.50	87.75
North curb of D st.....	73.50	74.00	South curb of Nelson st.....	99.50	99.50
South line of alley between D and E sts.....	74.50	74.50	North curb of Nelson st.....	100.00	100.00
North line of alley between D and E sts.....	74.50	74.50	South curb of Knox st.....	99.00	99.00
South curb of E st.....	73.50	73.80	North curb of Knox st.....	98.50	98.50
North curb of E st.....	73.50	73.80	South curb of Judson st.....	92.00	92.00
South line of alley next north.....	75.00	75.00	North curb of Judson st.....	92.00	92.00
North line of alley next north.....	75.00	75.00	South curb of Harrison st.....	106.50	106.50
South curb of F st.....	74.00	74.50	North curb of Harrison st.....	107.00	107.00
North curb of F st.....	74.00	74.50	South curb of Manatt st.....	121.50	121.50
South curb of G st.....	76.00	76.50	North curb of Manatt st.....	122.00	122.00
North curb of G st.....	76.00	76.50	South curb of Fairfield st.....	130.00	130.00
South curb of H st.....	82.50	83.00	North curb of Fairfield st.....	130.50	130.50
North curb of H st.....	82.50	83.00	South curb of Benton st.....	139.50	139.50
South curb of J st.....	87.00	87.50	North curb of Benton st.....	140.00	140.00
North curb of J st.....	87.00	87.50			
South curb of K st.....	85.50	85.50	959. § 30.—GRADE OF 13TH STREET.		
North curb of K st.....	85.00	85.00	South curb of South st.....	89.50	90.00
South curb of L st.....	77.50	77.50	North curb of South st.....	89.50	90.00
North curb of L st.....	77.00	77.00	South curb of Plum st.....	88.00	88.00
South curb of M st.....	73.00	73.00	North curb of Plum st.....	87.50	87.50
North curb of M st.....	72.50	72.50	South curb of Peach st.....	86.00	86.00
South curb of N st.....	69.20	69.60	North curb of Peach st.....	85.50	85.50
North curb of N st.....	69.20	69.60	South curb of Rose st.....	83.80	84.10
South curb of O st.....	66.00	66.00	North curb of Rose st.....	83.80	84.10
North curb of O st.....	66.00	66.00	South curb of Pine st.....	80.50	80.50
South curb of P st.....	68.80	68.80	North curb of Pine st.....	80.00	80.00
North curb of P st.....	69.20	69.20	South curb of Wood st.....	78.00	78.50
South curb of Q st.....	70.20	70.20	North curb of Wood st.....	78.00	78.50
North curb of Q st.....	70.60	70.60	South curb of Washing't'n st.....	76.50	76.50
South curb of R st.....	72.25	72.50	North curb of Washing't'n st.....	76.00	76.00
North curb of R st.....	72.50	73.00	South curb of A st.....	74.00	74.50
South curb of S st.....	78.50	78.00	North curb of A st.....	74.00	74.50
North curb of S st.....	78.50	78.00	South curb of B st.....	71.50	72.00
South curb of T st.....	74.50	74.50	North curb of B st.....	71.50	72.00
North curb of T st.....	74.00	74.00	South curb of C st.....	76.00	76.50
South curb of U st.....	73.00	73.00	North curb of C st.....	76.00	76.50
North curb of U st.....	72.50	72.50	South line of alley next north of C st.....	77.00	77.00
South curb of V st.....	65.00	65.00	North line of alley next north of C st.....	77.00	77.00
North curb of V st.....	65.00	65.00	South curb of D st.....	75.50	76.00
South curb of Aurora st.....	48.00	48.00	North curb of D st.....	75.50	76.00
North curb of Aurora st.....	48.00	48.00	South line of alley next north.....	76.50	76.50
South curb of Emerson st.....	47.50	47.50	North line of alley next north.....	76.50	76.50
North curb of Emerson st.....	47.50	47.50	South curb of E st.....	75.80	76.10
South curb of Virginia st.....	47.00	47.00	North curb of E st.....	75.80	76.10
North curb of Virginia st.....	47.00	47.00	South line of alley next north.....	77.00	77.00
South curb of Oak st.....	46.50	46.50	North line of alley next north.....	77.00	77.00
North curb of Oak st.....	46.50	46.50	South curb of F st.....	76.00	76.50
South curb of Saunders st.....	47.50	47.50	North curb of F st.....	76.00	76.50
North curb of Saunders st.....	47.50	47.50	South curb of G st.....	78.50	79.00
South curb of Dawes st.....	48.50	48.50	North curb of G st.....	78.50	79.00
North curb of Dawes st.....	48.50	48.50	South curb of H st.....	85.50	86.00
South curb of Nance st.....	49.50	49.50	North curb of H st.....	85.50	86.00
North curb of Nance st.....	50.00	50.00	South curb of J st.....	89.00	89.00
South curb of Belmont ave.....	64.00	64.00	North curb of J st.....	89.00	89.00
North curb of Belmont ave.....	64.50	64.50	South curb of K st.....	84.50	84.50
South curb of Garber ave.....	70.50	70.50	North curb of K st.....	84.00	84.00
North curb of Garber ave.....	71.00	71.00			

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of L st.....	78.50	78.50
North curb of L st.....	78.00	78.00
South curb of M st.....	74.00	74.00
North curb of M st.....	73.50	73.50
South curb of N st.....	70.40	70.80
North curb of N st.....	70.40	70.80
South curb of O st.....	67.00	67.30
North curb of O st.....	67.00	67.30
South curb of P st.....	67.90	67.90
North curb of P st.....	68.10	68.10
South curb of Q st.....	70.60	70.60
North curb of Q st.....	70.90	70.90
South curb of R st.....	71.90	71.90
North curb of R st.....	72.20	72.20
South curb of S st.....	74.20	74.20
North curb of S st.....	74.50	74.50
South curb of T st.....	77.00	77.00
North curb of T st.....	77.00	77.00
South curb of U st.....	70.00	70.00
North curb of U st.....	69.50	69.50

960. § 31.—GRADE OF 14TH
STREET.

South curb of South st.....	91.50	92.00
North curb of South st.....	91.50	92.00
South curb of Plum st.....	90.00	.....
North curb of Plum st.....	89.50	.....
South curb of Mulberry st.....	89.00	.....
North curb of Mulberry st.....	88.50	.....
South curb of Peach st.....	87.50	.....
North curb of Peach st.....	87.00	.....
South curb of Garden st.....	.....	86.80
North curb of Garden st.....	.....	86.30
South curb of Rose st.....	85.00	84.80
North curb of Rose st.....	84.80	84.50
South curb of Pine st.....	82.50	.....
North curb of Pine st.....	82.00	.....
South curb of Poplar st.....	.....	81.80
North curb of Poplar st.....	.....	81.50
South curb of Wood st.....	80.50	.....
North curb of Wood st.....	80.00	.....
South curb of Elm st.....	.....	79.80
North curb of Elm st.....	.....	79.60
South curb of Washington st.....	77.00	77.50
North curb of Washington st.....	77.00	77.50
South curb of A st.....	78.00	78.50
North curb of A st.....	78.00	78.50
South curb of B st.....	73.00	73.50
North curb of B st.....	73.00	73.50
South curb of C st.....	78.00	78.50
North curb of C st.....	78.00	78.50
South curb of D st.....	77.00	77.50
North curb of D st.....	77.00	77.50
South line of alley next n.....	78.00	78.00
North line of alley next n.....	78.00	78.00
South curb of E st.....	77.10	77.40
North curb of E st.....	77.10	77.40
South curb of F st.....	78.00	78.50
North curb of F st.....	78.00	78.50
South curb of G st.....	81.00	81.50
North curb of G st.....	81.00	81.50
South curb of H st.....	88.00	88.50
North curb of H st.....	88.00	88.50
South curb of J st.....	91.00	91.50
North curb of J st.....	91.00	91.50
South curb of K st.....	87.50	87.50
North curb of K st.....	87.00	87.00
South curb of L st.....	79.50	79.50
North curb of L st.....	79.00	79.00

South curb of M st.....	75.00	75.00
North curb of M st.....	74.50	74.50
South curb of N st.....	71.60	72.00
North curb of N st.....	71.60	71.50
South curb of O st.....	68.30	68.60
North curb of O st.....	68.30	68.60
South curb of alley north of O st.....	68.80	69.00
North curb of alley north of O st.....	69.00	69.30
South curb of P st.....	68.70	69.00
North curb of P st.....	68.70	69.00
South curb of Q st.....	71.00	71.00
North curb of Q st.....	71.40	71.40
South curb of R st.....	73.00	73.00
North curb of R st.....	73.00	73.00
South curb of S st.....	71.50	71.50
North curb of S st.....	71.00	71.00
South curb of T st.....	69.50	69.50
North curb of T st.....	69.00	69.00
South curb of University Place.....	.....	67.80
North curb of University Place.....	.....	67.50
South curb of U st.....	67.00	.....
North curb of U st.....	66.50	.....
South curb of Vine st.....	65.50	65.50
North curb of Vine st.....	65.00	65.00
South curb of V st.....	63.00	63.00
North curb of V st.....	62.50	62.50
South curb of W st.....	51.00	50.70
North curb of W st.....	50.50	50.20
Point 285 feet north of north line of W st.....	48.50	48.50
Point 306 feet north of north line of W st.....	48.50	48.50
Point 972 feet north of north line of W st.....	51.00	51.00
Point 1173 feet north of north line of W st.....	50.50	50.00
South curb of New Hamp- shire st.....	49.80	.....
North curb of New Hamp- shire st.....	49.50	.....
South curb of Claremont st.....	48.30	49.00
North curb of Claremont st.....	48.00	48.70

961. § 32.—GRADE OF 15TH
STREET.

South curb of Mulberry st.....	92.00	92.00
North curb of Mulberry st.....	91.50	91.50
South curb of Garden st.....	90.00	90.00
North curb of Garden st.....	89.50	89.50
South curb of Rose st.....	88.00	88.50
North curb of Rose st.....	88.00	88.50
South curb of Poplar st.....	86.50	86.50
North curb of Poplar st.....	86.00	86.00
South curb of Elm st.....	84.50	85.00
North curb of Elm st.....	84.50	85.00
South curb of A st.....	81.50	82.00
North curb of A st.....	81.50	82.00
South curb of B st.....	77.50	78.00
North curb of B st.....	77.50	78.00
South curb of C st.....	80.00	80.50
North curb of C st.....	80.00	80.50
South curb of D st.....	79.00	79.50
North curb of D st.....	79.00	79.50
South curb of E st.....	78.40	78.80
North curb of E st.....	78.40	78.80

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
South curb of F st.....	80.00	80.50	South curb of R st.....	72.50	72.00
North curb of F st.....	80.00	80.50	North curb of R st.....	72.50	72.00
South curb of G st.....	84.50	85.00	South curb of S st.....	75.00	75.50
North curb of G st.....	84.50	85.00	North curb of S st.....	75.00	75.50
South curb of H st.....	91.00	91.50	Center of block between S st. and University Place...	77.00	77.00
North curb of H st.....	91.00	91.50	South curb of University Place.....	75.00	75.00
South curb of K st.....	92.00	92.00	North curb of University Place.....	74.50	74.50
North curb of K st.....	92.00	92.00	South curb of Vine st.....	65.00	65.00
South curb of L st.....	81.00	81.00	North curb of Vine st.....	64.50	64.50
North curb of L st.....	80.50	80.50	At 110 ft. north of north line of Vine st.....	59.50	59.50
South curb of M st.....	75.50	75.50	At Mo. Pacific Ry.....	48.00	48.00
North curb of M st.....	75.00	75.00			
South curb of N st.....	72.80	72.60	963. § 34.—GRADE OF 17TH STREET.		
North curb of N st.....	72.80	72.60	South curb of South st.....	101.00	101.50
South curb of O st.....	69.60	70.00	North curb of South st.....	101.00	101.50
North curb of O st.....	69.60	70.00	South curb of Harwood st.	99.50	
South curb of P st., midway between 14th and 16th sts.		68.00	North curb of Harwood st.	99.20	
North curb of P st., midway between 14th and 16th sts.		68.00	South curb of Maple st.....	99.00	
962. § 33.—GRADE OF 16TH STREET.			North curb of Maple st.....	98.70	
South curb of South st.....	95.50	95.50	South curb of Euclid ave.....		98.00
North curb of South st.....	95.00	95.00	North curb of Euclid ave.....		97.70
South curb of Maple st.....	93.80	93.80	South curb of Sycamore st.	96.70	97.20
North curb of Maple st.....	93.50	93.50	North curb of Sycamore st.	96.70	97.20
South curb of Sycamore st.....	92.30	92.30	South curb of Prospect st.....	98.30	98.30
North curb of Sycamore st.....	92.00	92.00	North curb of Prospect st.....	98.30	98.30
South curb of Locust st.....	91.00	91.00	South curb of Locust st.....	97.60	
North curb of Locust st.....	90.50	90.50	North curb of Locust st.....	97.40	
South curb of Poplar st.....	89.00	89.50	South curb of Cherry st.....		95.90
North curb of Poplar st.....	89.00	89.50	North curb of Cherry st.....		95.70
South curb of Elm st.....	87.00	87.50	South curb of Poplar st.....	94.80	
North curb of Elm st.....	87.00	87.50	North curb of Poplar st.....	94.60	
South curb of Washing't'n st	84.00	84.50	South curb of Holmes st.....		93.20
North curb of Washing't'n st	84.00	84.50	North curb of Holmes st.....		93.00
South curb of A st.....	86.00	86.50	South curb of Elm st.....	92.00	
North curb of A st.....	86.00	86.50	North curb of Elm st.....	91.80	
South curb of B st.....	81.00	81.50	South curb of Washing't'n st	91.50	92.00
North curb of B st.....	81.00	81.50	North curb of Washing't'n st	91.50	92.00
South curb of C st.....	82.00	82.50	South curb of A st.....	90.00	90.50
North curb of C st.....	82.00	82.50	North curb of A st.....	90.00	90.50
South curb of D st.....	81.00	81.50	South curb of B st.....	88.00	88.50
North curb of D st.....	81.00	81.50	North curb of B st.....	88.00	88.50
South curb of E st.....	79.80	80.20	South curb of C st.....	87.00	87.50
North curb of E st.....	79.80	80.20	North curb of C st.....	87.00	87.50
South curb of F st.....	83.00	83.50	South curb of D st.....	83.00	83.50
North curb of F st.....	83.00	83.50	North curb of D st.....	83.00	83.50
South curb of G st.....	87.50	88.00	South curb of E st.....	84.00	84.50
North curb of G st.....	87.50	88.00	North curb of E st.....	84.00	84.50
South curb of H st.....	94.00	94.00	South curb of F st.....	87.00	87.00
North curb of H st.....	94.00	94.00	North curb of F st.....	87.00	87.00
South curb of J st.....	93.00	93.00	South curb of G st.....	88.50	88.50
North curb of J st.....	93.00	93.00	North curb of G st.....	89.00	89.00
South curb of K st.....	88.50	88.50	South curb of H st.....	92.00	92.00
North curb of K st.....	88.00	88.00	North curb of H st.....	92.00	92.00
South curb of L st.....	82.50	82.50	South curb of J st.....	89.00	88.00
North curb of L st.....	82.00	82.00	North curb of J st.....	88.50	88.00
South curb of M st.....	77.00	77.00	South curb of K st.....	83.00	83.00
North curb of M st.....	76.50	76.50	North curb of K st.....	82.50	82.50
South curb of N st.....	73.40	73.40	South curb of L st.....	78.50	78.50
North curb of N st.....	73.00	73.00	North curb of L st.....	78.00	78.00
South curb of O st.....	71.00	71.30	South curb of M st.....	74.00	74.00
North curb of O st.....	71.00	71.30	North curb of M st.....	73.50	73.50
South curb of P st.....	72.50	72.50	South curb of N st.....	71.50	71.00
North curb of P st.....	73.00	73.00	North curb of N st.....	71.50	71.00
South curb of Q st.....	71.00	70.50	South curb of O st.....	70.00	69.50
North curb of Q st.....	71.00	70.50			

	Elev. of W. Curb.	Elev. of E. Curb.
North curb of O st.....	70.00	69.50
South curb of P st.....	69.00	68.50
North curb of P st.....	69.00	68.50
South curb of Q st.....	67.50	67.00
North curb of Q st.....	67.00	67.00
South curb of R st.....	69.00	68.50
North curb of R st.....	69.00	68.50

964. § 35.—GRADE OF 18TH
STREET.

South curb of Washingt'n st	96.50	97.00
North curb of Washingt'n st	96.50	97.00
South curb of A st.....	94.00	94.50
North curb of A st.....	94.00	94.50
South curb of B st.....	93.00	93.50
North curb of B st.....	93.00	93.50
South curb of C st.....	92.00	92.50
North curb of C st.....	92.00	92.50
South curb of D st.....	90.50	91.00
North curb of D st.....	90.50	91.00
South curb of E st.....	89.00	89.50
North curb of E st.....	89.00	89.50
South curb of F st.....	85.50	85.50
North curb of F st.....	85.00	85.00
South curb of G st.....	82.50	82.00
North curb of G st.....	82.50	82.00
South curb of J st.....	79.00	78.50
North curb of J st.....	79.00	78.50
South curb of K st.....	78.00	77.50
North curb of K st.....	78.00	77.50
South curb of L st.....	79.50	79.50
North curb of L st.....	79.00	79.00
South curb of M st.....	73.00	73.00
North curb of M st.....	72.50	72.50
South curb of N st.....	69.00	68.50
North curb of N st.....	69.00	68.50
South curb of O st.....	67.50	67.00
North curb of O st.....	67.50	67.00
South curb of P st.....	65.50	65.00
North curb of P st.....	65.50	65.00
South curb of Q st.....	62.00	61.50
North curb of Q st.....	62.00	61.50
South curb of R st.....	56.50	56.00
North curb of R st.....	56.50	56.00

965. § 36.—GRADE OF 19TH
STREET.

South curb of South st.....	114.50	115.00
North curb of South st.....	114.50	115.00
South curb of Euclid ave.....	109.00	109.00
North curb of Euclid ave.....	108.50	108.50
South curb of Prospect st.....	106.50	106.50
North curb of Prospect st.....	106.00	106.00
South curb of Holmes st.....	101.00	101.50
North curb of Holmes st.....	101.00	101.50
South curb of Washgtn. st.....	103.00	103.50
North curb of Washgtn. st.....	103.00	103.50
South curb of A st.....	99.50	100.00
North curb of A st.....	99.50	100.00
South curb of B st.....	97.50	98.00
North curb of B st.....	97.50	98.00
South curb of C st.....	99.00	99.00
North curb of C st.....	99.00	99.00
South curb of D st.....	97.50	98.00
North curb of D st.....	97.50	98.00
South curb of E st.....	95.50	96.00
North curb of E st.....	95.50	96.00
South curb of F st.....	89.00	89.50
North curb of F st.....	89.00	89.50

South curb of J st.....	67.00	66.50
North curb of J st.....	67.00	66.50
South curb of K st.....	64.50	64.00
North curb of K st.....	64.50	64.00
South curb of L st.....	66.00	65.90
North curb of L st.....	65.50	65.60
South curb of M st.....	62.50	62.60
North curb of M st.....	62.00	62.30
South curb of N st.....	61.00	60.50
North curb of N st.....	61.00	60.50
South curb of O st.....	64.50	64.00
North curb of O st.....	64.50	64.00
South curb of P st.....	60.00	60.00
North curb of P st.....	59.50	59.50
South curb of Q st.....	55.50	55.50
North curb of Q st.....	55.00	55.00
South curb of R st.....	53.00	52.50
North curb of R st.....	53.00	52.50
South curb of S st.....	52.00	52.00
North curb of S st.....	51.80	51.80
South curb of T st.....	51.00	51.00
North curb of T st.....	50.80	50.80
South curb of U st.....	50.00	49.80
North curb of U st.....	50.00	49.80
South curb of Vine st.....	53.25	53.00

966. § 37.—GRADE OF 20TH
STREET.

South curb of D st.....	111.00	111.00
North curb of D st.....	111.00	111.00
South curb of E st.....	105.00	105.00
North curb of E st.....	105.00	105.00
South curb of F st.....	91.00	90.50
North curb of F st.....	91.00	90.50
South curb of J st.....	64.00	64.00
North curb of J st.....	63.80	63.80
South curb of K st.....	62.80	62.80
North curb of K st.....	62.60	62.60
South curb of L st.....	61.60	61.60
North curb of L st.....	61.40	61.40
South curb of M st.....	60.40	60.40
North curb of M st.....	60.20	60.20
South curb of N st.....	59.50	59.30
North curb of N st.....	59.50	59.30
South curb of O st.....	58.50	58.50
North curb of O st.....	58.00	58.00
South curb of P st.....	56.30	56.30
North curb of P st.....	55.90	55.90
South curb of Q st.....	54.20	54.20
North curb of Q st.....	53.80	53.80
South curb of R st.....	51.50	51.50
North curb of R st.....	52.05	52.20
South curb of S st.....	51.00	51.00
North curb of S st.....	51.00	51.00
South curb of T st.....	52.00	52.00
North curb of T st.....	52.00	52.00
South curb of U st.....	49.50	49.70
North curb of U st.....	49.50	49.70
South curb of Vine st.....	51.50	51.75

967. § 38.—GRADE OF 21ST
STREET.

South curb of Sumner st.....	123.00	123.50
North curb of Sumner st.....	123.00	123.50
South curb of Garfield st.....	113.00	113.50
North curb of Garfield st.....	113.00	113.50
South curb of Washtn. st.....	120.00	120.50
North curb of Washtn. st.....	120.00	120.50
South curb of A st.....	115.50	116.00

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
North curb of A st.....	115.50	116.00	North curb of P st.....	58.80	58.80
South curb of B st.....	120.00	119.50	South curb of Q st.....	57.00	57.50
North curb of B st.....	120.00	119.50	North curb of Q st.....	57.00	57.50
South curb of C st.....	102.50	102.00	South curb of R st.....	53.50	56.00
North curb of C st.....	102.50	102.00	North curb of R st.....	54.60	54.80
South curb of D st.....	94.50	94.00	South curb of S st.....	54.40	54.40
North curb of D st.....	94.50	94.00	North curb of S st.....	54.20	54.20
South curb of E st.....	85.50	85.50	South curb of T st.....	53.20	53.20
North curb of E st.....	86.50	85.50	North curb of T st.....	53.00	53.00
South curb of F st.....	71.50	71.00	South curb of U st.....	51.70	52.00
North curb of F st.....	71.50	71.00	North curb of U st.....	51.70	52.00
South curb of G st.....	69.25	69.00	South curb of Vine st.....	55.40	55.65
North curb of G st.....	69.25	69.00			
South curb of Randolph st.	68.30	68.20	969. § 40.—GRADE OF 23D STREET		
North curb of Randolph st.	68.30	68.20	South curb of South st.....	155.00	155.00
South curb of H st.....	66.75	66.75	North curb of South st.....	155.00	155.00
North curb of H st.....	66.50	66.50	South curb of Harvard st.....	153.00	153.00
South curb of J st.....	65.00	65.25	North curb of Harvard st.....	153.00	153.00
North curb of J st.....	65.00	65.25	South curb of Sumner st.....	126.50	127.00
South curb of K st.....	64.00	64.25	North curb of Sumner st.....	126.50	127.00
North curb of K st.....	64.00	64.25	South curb of Garfield st.....	129.50	129.50
South curb of L st.....	63.00	63.00	North curb of Garfield st.....	129.00	129.00
North curb of L st.....	62.70	62.70	South curb of Washgtn. st.....	127.00	126.50
South curb of M st.....	61.80	61.80	North curb of Washgtn. st.....	127.00	126.50
North curb of M st.....	61.40	61.40	South curb of A st.....	117.00	116.50
South curb of Monroe ave.....	60.50	60.50	North curb of A st.....	117.00	116.50
North curb of Monroe ave.....	60.00	60.00	South curb of B st.....	106.50	106.00
South curb of N st.....	58.30	58.30	North curb of B st.....	106.50	106.00
North curb of N st.....	58.00	58.00	South curb of C st.....	88.50	88.00
South curb of O st.....	59.00	59.00	North curb of C st.....	88.50	88.00
North curb of O st.....	58.50	58.50	South curb of D st.....	79.00	78.50
South curb of P st.....	57.50	57.50	North curb of D st.....	79.00	78.50
North curb of P st.....	57.00	57.00	South curb of E st.....	68.50	68.00
South curb of Q st.....	55.40	55.40	North curb of E st.....	68.50	68.00
North curb of Q st.....	55.20	55.20	South curb of Randolph st.	67.00	66.70
South curb of R st.....	53.50	54.00	North curb of Randolph st.	67.00	66.70
North curb of R st.....	53.50	54.00	South curb of N st.....	61.80	62.10
			North curb of N st.....	61.80	62.10
968. § 39.—GRADE OF 22D STREET.			South curb of O st.....	62.80	63.20
South curb of South st.....	147.50	148.00	North curb of O st.....	63.00	63.40
North curb of South st.....	147.50	148.00	South curb of P st.....	61.30	61.30
South curb of Harvard st.....	146.00	146.50	North curb of P st.....	60.80	60.80
North curb of Harvard st.....	146.00	146.50	South curb of Q st.....	58.50	59.00
South curb of Sumner st.....	125.00	125.50	North curb of Q st.....	58.50	59.00
North curb of Sumner st.....	125.00	125.50	South curb of R st.....	57.50	57.80
South curb of Garfield st.....	119.50	120.00	North curb of R st.....	57.50	57.80
North curb of Garfield st.....	119.50	120.00	South curb of S st.....	58.50	58.80
South curb of Washgtn. st.....	129.00	129.00	North curb of S st.....	58.50	58.80
North curb of Washgtn. st.....	129.00	129.00	South curb of T st.....	57.30	57.50
South curb of A st.....	119.00	119.00	North curb of T st.....	57.30	57.80
North curb of A st.....	119.00	119.00	South curb of U st. east.....	59.00	59.30
South curb of B st.....	113.50	113.00	North curb of U st. east.....	59.00	59.30
North curb of B st.....	113.50	113.00	South curb of U st. west.....	58.50	.....
South curb of C st.....	94.00	93.50	North curb of U st. west.....	58.60	.....
North curb of C st.....	94.00	93.50	South curb of Vine st.....	60.00	60.40
South curb of D st.....	85.50	85.00			
North curb of D st.....	85.50	85.00	970. § 41.—GRADE OF 24TH STREET.		
South curb of E st.....	73.50	73.00	South curb of South st.....	150.00	150.50
North curb of E st.....	73.50	73.00	North curb of South st.....	150.00	150.50
South curb of F st.....	70.50	70.50	South curb of Harvard st.....	149.00	149.00
North curb of F st.....	70.00	70.00	North curb of Harvard st.....	148.50	148.50
South curb of G st.....	68.50	68.50	South curb of Sumner st.....	127.50	127.40
North curb of G st.....	68.25	68.25	North curb of Sumner st.....	127.50	127.50
South curb of Randolph st.	68.00	67.80	South curb of Sumner st.....	127.50	127.65
North curb of Randolph st.	68.00	67.80	North curb of Sumner st.....	128.00	128.50
South curb of O st.....	60.50	61.00	South curb of Garfield st.....	115.00	115.00
North curb of O st.....	60.50	61.00	North curb of Garfield st.....	114.50	114.50
South curb of P st.....	59.30	59.30			

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of Washgtn. st.	110.00	110.00
North curb of Washgtn. st.	109.50	109.50
South curb of A st.	107.50	107.00
North curb of A st.	107.50	107.00
South curb of B st.	99.50	99.00
North curb of B st.	99.50	99.00
South curb of C st.	85.50	85.00
North curb of C st.	85.50	85.00
South curb of D st.	73.25	73.00
North curb of D st.	73.25	73.00
South curb of E st.	64.00	63.50
North curb of E st.	64.00	63.50
South curb of Randolph st.	66.00	66.25
North curb of Randolph st.	66.00	66.25
South curb of O st.	67.00	68.00
North curb of O st.	67.00	68.00
South curb of P st.	66.00	66.00
North curb of P st.	66.50	66.50
South curb of Q st.	71.00	71.50
North curb of Q st.	71.00	71.50
South curb of R st.	66.50	67.00
North curb of R st.	66.50	67.00
South curb of S st.	70.50	71.00
North curb of S st.	70.50	71.00
South curb of T st.	67.00	67.00
North curb of T st.	66.50	66.50
South curb of U st.	64.50	64.50
North curb of U st.	64.00	64.00
South curb of Vine st.	62.50	63.00

971. § 42.—GRADE OF 25TH
STREET.

South curb of Sumner st.	129.50	130.00
North curb of Sumner st.	129.50	130.00
South curb of Garfield st.	124.00	124.00
North curb of Garfield st.	124.00	124.00
South curb of Washgtn. st.	113.00	113.00
North curb of Washgtn. st.	113.00	113.00
South curb of A st.	105.25	105.00
North curb of A st.	105.25	105.00
South curb of B st.	93.25	93.00
North curb of B st.	93.25	93.00
South curb of C st.	85.25	85.75
North curb of C st.	85.25	85.75
South curb of D st.	71.50	71.00
North curb of D st.	71.50	71.00
South curb of E st.	66.00	66.50
North curb of E st.	66.00	66.50
South curb of Randolph st.	69.00	69.50
North curb of Randolph st.	69.00	69.50
South curb of H st.	70.00	70.50
North curb of H st.	70.00	70.50
South curb of J st.	75.00	75.50
North curb of J st.	75.00	75.50
South curb of K st.	74.50	74.50
North curb of K st.	74.25	74.25
South curb of L st.	73.00	73.00
North curb of L st.	73.00	73.00
South curb of M st.	73.60	73.60
North curb of M st.	73.75	73.75
South curb of N st at 25th st	75.50	76.50
North curb of N st at 25th st	75.50	76.50
South curb of O st.	76.50	77.50
North curb of O st.	76.50	77.50
South curb of P st.	79.00	79.50
North curb of P st.	79.00	79.50
South curb of Q st.	75.00	75.50
North curb of Q st.	75.00	75.50
South curb of R st.	71.50	72.00

North curb of R st.	71.50	72.00
South curb of S st.	75.50	75.50
North curb of S st.	75.50	75.50
South curb of T st.	71.50	71.50
North curb of T st.	71.00	71.00
South curb of U st.	67.50	67.50
North curb of U st.	67.00	67.00
South curb of Vine st.	65.00	65.40

972. § 43.—GRADE OF 26TH
STREET.

South curb of A st.	103.50	103.00
North curb of A st.	103.50	103.00
South curb of B st.	96.50	96.75
North curb of B st.	96.50	96.75
South curb of C st.	92.00	92.00
North curb of C st.	92.00	92.00
South curb of D st.	75.00	75.50
North curb of D st.	75.00	75.50
South curb of E st.	69.00	69.25
North curb of E st.	69.00	69.25
South curb of Randolph st.	71.00	71.50
North curb of Randolph st.	71.00	71.50
South curb of H st.	73.00	73.50
North curb of H st.	73.00	73.50
South curb of J st.	77.00	77.50
North curb of J st.	77.00	77.50
South curb of K st.	79.50	79.50
North curb of K st.	80.00	80.00
South curb of L st.	81.50	81.50
North curb of L st.	82.00	82.00
South curb of N st.	90.50	91.50
North curb of N st.	90.50	91.50
South curb of O st.	91.50	92.00
North curb of O st.	91.50	92.00
South curb of P st.	83.00	83.50
North curb of P st.	83.00	83.50
South curb of Q st.	77.50	78.00
North curb of Q st.	77.50	78.00
South curb of R st.	73.50	74.00
North curb of R st.	73.50	74.00
South curb of S st.	72.50	72.50
North curb of S st.	72.00	72.00
South curb of T st.	70.50	70.50
North curb of T st.	70.00	70.00
South curb of U st.	69.00	69.00
North curb of U st.	68.70	68.70
South curb of Vine st.	68.00	68.30

973. § 44.—GRADE OF 27TH
STREET.

South curb of South st.	127.50	127.50
North curb of South st.	128.00	128.00
South curb of Franklin ave.	135.00	135.00
North curb of Franklin ave.	135.00	135.00
South curb of Sumner st.	128.50	128.50
North curb of Sumner st.	128.00	128.00
South curb of Garfield ave.	118.50	118.50
North curb of Garfield ave.	118.00	118.00
South curb of Everett st.	113.00	113.00
North curb of Everett st.	112.50	112.50
South curb of Wash'gt'n st.	107.50	107.50
North curb of Wash'gt'n st.	107.00	107.00
South curb of A st.	101.00	101.50
North curb of A st.	101.00	101.50
South curb of B st.	91.00	91.00
North curb of B st.	90.00	90.00
South curb of C st.	76.50	76.50
North curb of C st.	76.00	76.00

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of W. Curb.	Elev. of E. Curb.
South curb of D st.....	71.75	71.75	North curb of E st.....	74.50	74.50
North curb of D st.....	71.50	71.50	South curb of F st.....	75.50	75.50
South curb of E st.....	72.25	72.25	North curb of F st.....	76.00	76.00
North curb of E st.....	72.50	72.50	South curb of L st.....	105.00	105.50
South curb of Randolph st. 73.50	73.50	74.00	North curb of L st.....	105.00	105.50
North curb of Randolph st. 73.50	73.50	74.00	South curb of M st.....	106.50	107.00
South curb of H st.....	76.50	77.00	North curb of M st.....	106.50	107.00
North curb of H st.....	76.50	77.00	South curb of N st.....	108.00	108.00
South curb of J st.....	81.50	82.00	North curb of N st.....	108.00	108.00
North curb of J st.....	81.50	82.00	South curb of O st.....	97.50	97.00
South curb of K st.....	86.50	87.00	North curb of O st.....	97.00	96.50
North curb of K st.....	86.50	87.00	South curb of P st.....	87.00	87.50
South curb of L st.....	91.50	89.50	North curb of P st.....	87.00	87.50
North curb of L st.....	92.00	90.00	South curb of Q st.....	83.00	83.50
South curb of M st.....	97.00	97.00	North curb of Q st.....	83.00	83.50
North curb of M st.....	97.50	97.50	South curb of R st.....	78.40	78.80
South curb of N st.....	105.50	106.50	North curb of R st.....	78.00	78.40
North curb of N st.....	105.50	106.50	South curb of S st.....	76.00	76.30
South curb of O st.....	96.50	97.00	North curb of S st.....	76.00	76.30
North curb of O st.....	96.50	97.00	South curb of T st.....	74.50	74.50
South curb of P st.....	86.25	86.25	North curb of T st.....	74.00	74.00
North curb of P st.....	85.75	85.75	South curb of U st.....	72.20	.....
South curb of Q st.....	80.00	80.50	North curb of U st.....	72.00	.....
North curb of Q st.....	80.00	80.50	South curb of Vine st.....	71.00	71.30
South curb of R st.....	76.00	75.50	North curb of Vine st.....	71.00	71.30
North curb of R st.....	76.00	75.00			
South curb of S st.....	73.80	74.00	975. § 46.—GRADE OF 29TH STREET.		
North curb of S st.....	73.80	74.00	South curb of L st.....	112.50	113.00
South curb of T st.....	72.00	72.00	North curb of L st.....	112.50	113.00
North curb of T st.....	71.80	71.80	South curb of M st.....	110.00	110.00
South curb of Vine st.....	69.50	69.80	North curb of M st.....	109.50	109.50
North curb of Vine st.....	69.50	69.80	South curb of N st.....	100.50	100.50
South curb of Pear st.....	66.25	66.25	North curb of N st.....	100.00	100.00
North curb of Pear st.....	66.00	66.00	South curb of O st.....	95.20	95.20
South curb of W st.....	65.00	65.00	North curb of O st.....	94.80	94.80
North curb of W st.....	64.75	64.75	South curb of P st.....	91.50	92.00
South curb of Cherry st.....	64.60	64.60	North curb of P st.....	91.50	92.00
North curb of Cherry st.....	64.30	64.30	South curb of Q st.....	88.00	88.50
At a point 224 feet north of north line of Cherry st....	63.70	63.70	North curb of Q st.....	88.00	88.50
South curb of Apple st.....	62.90	62.90	South curb of R st.....	82.00	82.40
North curb of Apple st.....	62.60	62.60	North curb of R st.....	82.00	82.40
South curb of Y st.....	61.75	61.75			
North curb of Y or Wash- ington st.....	61.50	61.50	976. § 47.—GRADE OF 30TH STREET.		
South curb of Orchard st....	59.50	59.50	South curb of E st.....	77.00	77.00
North curb of Orchard st....	59.20	59.20	North curb of E st.....	77.50	77.50
South curb of Dudley st....	58.20	58.20	South curb of F st.....	79.00	79.50
North curb of Dudley st....	57.90	57.90	North curb of F st.....	79.00	79.50
South curb of Starr st.....	56.90	56.90	South curb of Randolph st. 84.00	84.00	84.30
North curb of Starr st.....	56.60	56.60	North curb of Randolph st. 84.00	84.00	84.30
South curb of Holdrege st....	55.60	55.60	South curb of L st.....	115.00	115.00
North curb of Holdrege st....	55.30	55.30	North curb of L st.....	115.00	115.00
South curb of Clinton st....	54.30	54.30	South curb of M st.....	108.50	108.50
North curb of Clinton st....	54.00	54.00	North curb of M st.....	108.00	108.00
South curb of Potter st.....	51.40	51.70	South curb of N st.....	105.00	105.50
North curb of Potter st.....	51.40	51.70	North curb of N st.....	105.00	105.50
South curb of Fair st.....	53.20	53.20	South curb of O st, 30th s'th, 103.00	103.00	104.00
North curb of Fair st.....	53.50	53.50	North curb of O st, 30th n'th, 110.00	110.00	111.00
South curb of Hitchcock st.	54.70	54.70	South curb of P st.....	103.50	104.00
North curb of Hitchcock st.....	54.70	54.70	North curb of P st.....	103.50	104.00
South curb of Center st.....	55.70	55.70	South curb of Q st.....	97.00	.....
North curb of Center st.....	55.70	55.70	North curb of Q st.....	96.00	.....
South curb of Merrill st.....	54.00	54.00	South curb of Q st. at angle. 94.00	94.00	.....
North curb of Merrill st.....	53.70	53.70	North curb of Q st. at angle. 94.50	94.50	.....
South curb of Oak st.....	50.30	50.30	South curb of Q st., Q west, 30th north.....	92.50	93.00
974. § 45.—GRADE OF 28TH STREET.			North curb of Q st., Q west, 30th north.....	92.50	93.00
South curb of E st.....	74.00	74.00			

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of R st., 30th s...	85.80	86.20
North curb of R st., 30th s...	85.80	86.20
South curb of R st., 30th n...	84.00	84.40
North curb of R st., 30th n...	84.00	84.40
South curb of S st.....	80.00	80.50
North curb of S st.....	80.00	80.50
South curb of T st.....	77.50	77.50
North curb of T st.....	77.00	77.00
South curb of Vine st.....	74.80	75.00

977. § 48.—GRADE OF 31ST STREET.

South curb of N st.....	122.00	122.50
North curb of N st.....	122.00	122.50
South curb of O st.....	117.00	117.30
North curb of O st.....	117.30	117.60
South curb of P st.....	108.50	109.00
North curb of P st.....	108.50	109.00
South curb of Q st.....	99.00	99.50
North curb of Q st.....	99.00	99.50

978. § 49.—GRADE OF 32D STREET.

South curb of O st.....	119.00	119.50
North curb of O st.....	119.00	119.50
South curb of P st.....	114.00	114.50
North curb of P st.....	114.00	114.50
South curb of R st.....	95.00	95.40
North curb of R st.....	96.15	95.75

979. § 50.—GRADE OF 33D STREET.

South curb of O st.....	124.00	124.50
North curb of O st.....	124.00	124.50
South curb of R st.....	99.00	99.50
North curb of R st.....	99.00	99.50
South curb of S st.....	95.70	95.70
North curb of S st.....	95.30	95.30
South curb of T st.....	91.70	91.70
North curb of T st.....	91.30	91.30
South curb of U st.....	87.70	87.70
South curb of U st.....	87.30	87.30
South curb of Vine st.....	85.00	85.50
North curb of Vine st.....	85.00	85.50

980. § 51.—GRADE OF GARFIELD STREET.

	Elev. of N. Curb.	Elev. of S. Curb.
East curb of Fitzgerald av.	109.50	110.00
West curb of 21st st.....	113.00	113.00
East curb of 21st st.....	113.50	113.50
West curb of 22d st.....	119.50	119.50
East curb of 22d st.....	120.00	120.00
West curb of 23d st.....	129.00	129.50
East curb of 23d st.....	129.00	129.50
West curb of 24th st.....	114.50	115.00
East curb of 24th st.....	114.50	115.00
West curb of 25th st.....	124.00	124.00
East curb of 25th st.....	124.00	124.00
West curb of 26th st.....	120.50	120.50
East curb of 26th st.....	120.00	120.00
West curb of 26th st.....	120.00	120.00
East curb of 26th st.....	119.50	119.50
West curb of 27th st.....	118.00	118.50
East curb of 27th st.....	118.00	118.50

981. § 52.—GRADE OF FITZGERALD AVENUE.

	Elev. of W. Curb.	Elev. of E. Curb.
South curb of South st.....	130.00	130.50
North curb of South st.....	130.00	130.50
South curb of Euclid ave....	122.50	123.00
North curb of Euclid ave....	122.50	123.00
South curb of Prospect st....	120.50	120.50
North curb of Prospect st....	120.00	120.00
South curb of Sumner st.....	117.00	117.00
North curb of Sumner st.....	116.50	116.50
South curb of Garfield st....	110.00	110.00
North curb of Garfield st....	109.50	109.50
South curb of Holmes st....	109.00	109.00
North curb of Holmes st....	109.00	109.00
South curb of Wash't'n st....	112.00	112.50
North curb of Wash't'n st....	112.00	112.50
South curb of A st.....	109.00	109.50
North curb of A st.....	109.50	110.00
South curb of B st.....	115.50	115.50
North curb of B st.....	116.50	116.50
At point midway bet. B and C sts.....	120.50	120.50
South curb of C st.....	116.50	116.50
North curb of C st.....	115.50	115.50
South curb of D st.....	109.50	108.50
North curb of D st.....	109.50	108.50

982. § 53.—GRADE OF SUMNER STREET.

	Elev. of N. Curb.	Elev. of S. Curb.
East curb of Fitzgerald av.	116.50	117.00
West curb of 21st st.....	123.00	123.00
East curb of 21st st.....	123.50	123.50
West curb of 22d st.....	125.00	125.50
East curb of 22d st.....	125.50	125.50
West curb of 23d st.....	126.50	126.50
East curb of 23d st.....	127.00	127.00
West curb of 24th st.....	128.00	128.00
East curb of 24th st.....	128.50	128.50
West curb of 25th st.....	129.50	129.50
East curb of 25th st.....	130.00	130.00
West curb of 26th st.....	131.50	131.50
East curb of 26th st.....	131.50	131.50
West curb of 27th st.....	128.00	128.50
East curb of 27th st.....	128.00	128.50

983. § 54.—GRADE OF RANDOLPH STREET.

West curb of Fitzgerald av.	69.00	.....
East curb of Fitzgerald av.	69.00	69.00
West curb of 21st st.....	68.30	68.30
East curb of 21st st.....	68.20	68.20
West curb of 22d st.....	68.00	68.00
East curb of 22d st.....	67.80	67.80
West curb of 23d st.....	67.00	67.00
East curb of 23d st.....	66.70	66.70
West curb of 24th st.....	66.00	66.00
East curb of 24th st.....	66.25	66.25
West curb of 25th st.....	69.00	69.00
East curb of 25th st.....	69.50	69.50
West curb of 26th st.....	71.00	71.00
East curb of 26th st.....	71.50	71.50
West curb of 27th st.....	73.50	73.50
East curb of 27th st.....	74.00	74.00
West curb of Ulysses ave....	79.00	79.00
East curb of Ulysses ave....	79.50	79.50
West curb of 30th st.....	84.00	84.00
East curb of 30th st.....	84.30	84.30
West curb of 33d st.....	105.00	105.00
East curb of 33d st.....	105.50	105.50

984. § 55.—GRADE OF WASHINGTON STREET.

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 8th st.....	81.50	81.50
East curb of 8th st.....	81.00	81.00
West curb of 9th st.....	79.00	79.00
East curb of 9th st.....	78.50	78.50
West curb of 10th st.....	75.00	75.00
East curb of 10th st.....	74.50	74.50
West curb of 11th st.....	72.50	73.00
East curb of 11th st.....	72.50	73.00
West curb of 12th st.....	74.50	75.00
East curb of 12th st.....	74.50	75.00
West curb of 13th st.....	76.00	76.50
East curb of 13th st.....	76.00	76.50
West curb of 14th st.....	77.00	77.00
East curb of 14th st.....	77.50	77.50
A point 500 feet east of east line of 14th st.....	79.00	79.00
West curb of 16th st.....	84.00	84.00
East curb of 16th st.....	84.50	84.50
West curb of 17th st.....	91.50	91.50
East curb of 17th st.....	92.00	92.00
West curb of 18th st.....	96.50	96.50
East curb of 18th st.....	97.00	97.00
West curb of 19th st.....	103.00	103.00
East curb of 19th st.....	103.50	103.50
West curb of Fitzgerald av.....	112.00	112.00
East curb of Fitzgerald av.....	112.50	112.50
West curb of 21st st.....	120.00	120.00
East curb of 21st st.....	120.50	120.50
West curb of 22d st.....	129.00	129.00
East curb of 22d st.....	129.00	129.00
West curb of 23d st.....	127.00	127.00
East curb of 23d st.....	126.50	126.50
West curb of 24th st.....	109.50	110.00
East curb of 24th st.....	109.50	110.00
West curb of 25th st.....	113.00	113.00
East curb of 25th st.....	113.00	113.00

985. § 56.—GRADE OF VINE STREET.

West curb of 14th st.....	65.00	65.50
East curb of 14th st.....	65.00	65.50
Center of block between 14th and 15th.....	69.50	69.50
West curb of 15th st.....	68.20	.....
East curb of 15th st.....	67.90	.....
West curb of Elm st.....	.....	67.50
East curb of Elm st.....	.....	67.20
West curb of 16th st.....	64.50	65.00
East curb of 16th st.....	64.50	65.00
West curb of 17th st.....	57.00	57.00
East curb of 17th st.....	56.50	56.50
A point 1,100 feet west of west line of 23d st.....	51.00	51.00
West curb of 20th st.....	51.50	51.50
East curb of 20th st.....	51.75	51.75
West curb of 21st st.....	53.00	53.00
East curb of 21st st.....	53.15	53.15
West curb of 22d st.....	55.40	55.40
East curb of 22d st.....	55.65	55.65
West curb of 23d st. running north.....	58.35	58.35
East curb of 23d st. running north.....	58.60	58.60
West curb of 23d st. south.....	60.00	60.00
East curb of 23d st.....	60.40	60.40
West curb of East ave.....	62.00	.....
East curb of East ave.....	62.30	.....
West curb of 24th st.....	62.50	.....
East curb of 24th st.....	63.00	.....

West curb of 25th st.....	Elev. of N. Curb.	Elev. of S. Curb.
East curb of 25th st.....	.....	65.40
West curb of Wall st.....	66.50	.....
East curb of Wall st.....	66.70	.....
West curb of 26th st.....	.....	68.00
East curb of 26th st.....	.....	68.30
West curb of Spruce st.....	68.60	.....
East curb of Spruce st.....	68.80	.....
West curb of 27th st.....	69.50	69.50
East curb of 27th st.....	69.80	69.80
West curb of 28th st.....	71.00	71.00
East curb of 28th st.....	71.30	71.30
West curb of Elsa ave.....	73.00	73.00
East curb of Elsa ave.....	73.30	73.30
West curb of 30th st.....	75.50	74.80
East curb of 30th st.....	75.80	75.00
West curb of 31st st.....	79.45	79.45
East curb of 31st st.....	79.70	79.70
West curb of 32d st.....	82.35	82.35
East curb of 32d st.....	82.60	82.60
West curb of 33d st.....	85.00	85.00
East curb of 33d st.....	85.50	85.50

986. § 57.—GRADE OF EUCLID AVENUE.

East curb of 17th st.....	97.70	98.00
West curb of 19th st.....	108.50	109.00
East curb of 19th st.....	108.50	109.00
West curb of Fitzgerald av.....	122.50	122.50
East curb of Fitzgerald av.....	123.00	123.00

987. § 58.—GRADE OF CHESTNUT STREET.

East curb of 27th st.....	106.50	106.50
West curb of 28th st.....	108.00	108.00
East curb of 28th st.....	108.00	108.00
West curb of 29th st.....	100.00	100.50
East curb of 29th st.....	100.00	100.50
West curb of 30th st.....	105.00	105.00
East curb of 30th st.....	105.50	105.50
West curb of 31st st.....	122.00	122.00
East curb of 31st st.....	122.50	122.50

988. § 59.—GRADE OF ULYSSES AVE.

	Elev. of W. Curb.	Elev. of E. Curb.
North curb of D st.....	75.00	75.00
South curb of E st.....	76.00	76.00
North curb of E st.....	76.30	76.30
South curb of F st.....	77.30	77.30
North curb of F st.....	77.60	77.60
South curb of Randolph st.....	79.00	79.50
North curb of Randolph st.....	79.00	79.50

989. § 60.—GRADE OF CEDAR STREET.

	Elev. of N. Curb.	Elev. of S. Curb.
West curb of 27th st.....	89.50	89.50
East curb of 27th st.....	90.00	90.00
West curb of 28th st.....	105.00	105.00
East curb of 28th st.....	105.50	105.50
West curb of 29th st.....	112.50	112.50
East curb of 29th st.....	113.00	113.00
West curb of 30th st.....	115.00	115.00
East curb of 30th st.....	115.00	115.00

	Elev. of W. Curb.	Elev. of E. Curb.		Elev. of N. Curb.	Elev. of S. Curb.
990. § 61.—GRADE OF ELM STREET.					
South curb of University Place.....	72.00	72.50	West curb of Elm st.....	72.00	72.00
North curb of University Place.....	72.00	72.50	East curb of Elm st.....	72.50	72.50
South curb of Vine st.....	64.00	63.80	East curb of 16th st.....	74.50	75.00
North curb of Vine st.....	64.00	63.80	East curb of 16th st.....	74.50	75.00
991. § 62.—GRADE OF NEBRASKA COURT.					
Southern terminus of Nebraska Court.....	68.00	68.00	997. § 68.—GRADE OF HOLMES STREET.		
South curb of J st.....	64.00	64.00	East curb of 17th st.....	93.00	93.20
			West curb of 19th st.....	101.00	101.00
			East curb of 19th st.....	101.50	101.50
			East curb of Fitzgerald ave.	109.00	109.00
			998. § 69.—GRADE OF ELM STREET.		
			East curb of 14th st.....	79.60	79.80
			West curb of 15th st.....	84.50	84.50
			East curb of 15th st.....	85.00	85.00
			West curb of 16th st.....	87.00	87.00
			East curb of 16th st.....	87.50	87.50
			West curb of 17th st.....	91.80	92.00
			999. § 70.—GRADE OF PLUM STREET.		
			West curb of 8th st.....	69.00	68.50
			East curb of 8th st.....	69.00	68.50
			West curb of 9th st.....	73.50	73.50
			East curb of 9th st.....	74.00	74.00
			West curb of 10th st.....	80.00	80.00
			East curb of 10th st.....	80.50	80.50
			West curb of 11th st.....	84.50	85.50
			East curb of 11th st.....	84.50	85.50
			West curb of 12th st.....	86.50	87.00
			East curb of 12th st.....	86.50	87.00
			West curb of 13th st.....	87.50	88.00
			East curb of 13th st.....	87.50	88.00
			West curb of 14th st.....	89.50	90.00
			1000. § 71.—GRADE OF PINE AND POPLAR STREETS.		
			West curb of 8th st.....	80.50	80.00
			East curb of 8th st.....	80.50	80.00
			West curb of 9th st.....	83.50	83.50
			East curb of 9th st.....	84.00	84.00
			West curb of 10th st.....	85.00	85.00
			East curb of 10th st.....	85.00	85.00
			West curb of 11th st.....	80.00	80.30
			East curb of 11th st.....	80.00	80.30
			Center of block between 11th and 12th sts.....	80.50	81.00
			West curb of 12th st.....	80.00	80.50
			East curb of 12th st.....	80.00	80.50
			Center of block bet. 12th and 13th sts.....	80.50	80.00
			West curb of 13th st.....	80.00	80.50
			East curb of 13th st.....	80.00	80.50
			West curb of 14th st.....	82.00	82.50
			East curb of 14th st.....	81.50	81.80
			West curb of 15th st.....	86.00	86.50
			East curb of 15th st.....	86.00	86.50
			West curb of 16th st.....	89.00	89.00
			East curb of 16th st.....	89.50	89.50
			West curb of 17th st.....	94.60	94.80
			1001. § 72.—GRADE OF WOOD STREET.		
			West curb of 8th st.....	84.00	84.00
			East curb of 8th st.....	84.00	84.00
			West curb of 9th st.....	82.00	82.50
			East curb of 9th st.....	82.00	82.50

	Elev. of N. Curb.	Elev. of S. Curb.		Elev. of N. Curb.	Elev. of S. Curb.
West curb of 10th st.....	80.00	80.50	East curb of 23d st.....	155.00	155.00
East curb of 10th st.....	80.00	80.50	West curb of 24th st.....	150.00	150.00
West curb of 11th st.....	78.50	79.00	East curb of 24th st.....	150.50	150.50
East curb of 11th st.....	78.50	79.00	1003. § 74.—GRADE OF HARVARD STREET.		
West curb of 12th st.....	76.50	76.50	West curb of 22d st.....	146.00	146.00
East curb of 12th st.....	77.00	77.00	East curb of 22d st.....	146.50	146.50
West curb of 13th st.....	78.00	78.00	West curb of 23d st.....	153.00	153.00
East curb of 13th st.....	78.50	78.50	East curb of 23d st.....	153.00	153.00
West curb of 14th st.....	80.00	80.50	West curb of 24th st.....	148.50	149.00
East curb of 14th st.....	80.00	80.50	East curb of 24th st.....	148.50	149.00
1002. § 73.—GRADE OF SOUTH STREET.			1004. § 75.—GRADE OF CHERRY STREET.		
West curb of 8th st.....	66.50	66.00	East curb of 17th st.....	95.70	95.90
East curb of 8th st.....	66.50	66.00	A point 630 feet east of east line 17th st.....	103.50	103.50
West curb of 9th st.....	71.50	71.50	1005. § 76.—GRADE OF GAR- DEN AND SYCAMORE STREETS.		
East curb of 9th st.....	72.00	72.00	East curb of 14th st.....	86.30	86.80
West curb of 10th st.....	81.00	81.00	West curb of 15th st.....	89.50	90.00
East curb of 10th st.....	81.50	81.50	East curb of 15th st.....	89.50	90.00
West curb of 11th st.....	86.00	86.00	West curb of 16th st.....	92.00	92.30
East curb of 11th st.....	86.50	86.50	East curb of 16th st.....	92.00	92.30
West curb of 12th st.....	88.00	88.00	West curb of 17th st.....	96.70	96.70
East curb of 12th st.....	88.50	88.50	East curb of 17th st.....	97.20	97.20
West curb of 13th st.....	89.50	89.50	1006. § 77.—GRADE OF PEACH STREET.		
East curb of 13th st.....	90.00	90.00	West curb of 8th st.....	73.00	72.50
West curb of 14th st.....	91.50	91.50	East curb of 8th st.....	73.00	72.50
East curb of 14th st.....	92.00	92.00	West curb of 9th st.....	75.50	75.50
West curb of Sherman ave.	93.50	93.50	East curb of 9th st.....	76.00	76.00
East curb of Sherman ave.	94.00	94.00	West curb of 10th st.....	79.00	79.00
West curb of Howard ave...	95.00	95.00	East curb of 10th st.....	79.50	79.50
East curb of Howard ave...	95.50	95.00	West curb of 11th st.....	83.00	83.50
West curb of St. Mary's ave.	97.00	97.00	East curb of 11th st.....	83.00	83.50
East curb of St. Mary's ave.	97.50	97.50	West curb of 12th st.....	84.00	84.50
West curb of 17th st.....	101.00	101.00	East curb of 12th st.....	84.00	84.50
East curb of 17th st.....	101.50	101.50	West curb of 13th st.....	85.50	86.00
West curb of 19th st.....	114.50	114.50	East curb of 13th st.....	85.50	86.00
East curb of 19th st.....	115.00	115.00	West curb of 14th st.....	87.00	87.50
West curb of Wshgtn. place.	122.50	122.50			
East curb of Wshgtn. place.	123.00	123.00			
West curb of Fitzgerald av.	130.00	130.00			
East curb of Fitzgerald av.	130.50	130.50			
West curb of 22d st.....	147.50	147.50			
East curb of 22d st.....	148.00	148.00			
West curb of 23d st.....	155.00	155.00			

§ 78. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 79. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE establishing a Board of Health, defining its duties and powers, providing regulations to secure the general health of the city, to prevent and abate nuisances, to compel vaccination, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXXVII.

Health.

1007. § 1. That a Board of Health for the city of Lincoln be and the same is hereby created and established. Said board shall consist of the Mayor, the health officer, Chief of Police, and two members of the City Council, to be selected by the Mayor. The Mayor shall be chairman, and the health officer clerk of said board. A majority of the board shall constitute a quorum, and meetings shall be held in the Council chamber whenever deemed necessary by the chairman or any two members.

1008. § 2. As soon as may be after the passage of this ordinance, and annually thereafter at the beginning of each municipal year, the Mayor shall designate some suitable person, a policeman of the city, who shall be known as the health officer, and who shall receive no compensation other than his salary as a regular policeman.

1009. § 3. The health officer shall be the executive officer of the Board of Health, and it shall be his duty to carry out and enforce all existing laws and ordinances having for their object the preservation of life and the prevention of disease, and the abatement and removal of nuisances; he shall make and keep in proper form the minutes of the meetings and proceedings of the board, attend to receiving returns of deaths and the issuing of burial permits, and the registration of births and deaths and interments; shall attend to complaints of nuisances and orders relating thereto, and perform such other services as the council may impose by ordinance, or the Board of Health lawfully require of him.

1010. § 4. The Board of Health shall have and exercise a general supervision over the sanitary condition of the city, and

have power to take effective means to prevent the introduction into the city or spread of any infectious, contagious, and dangerous diseases, and for that purpose shall have power to stop, detain, and examine every person coming from any place infected or believed to be infected with any such disease; to cause any person not a resident of the city infected or believed to be infected with any such disease to be sent to the pest house upon the certificate of the health physician; to cause any resident of the city infected with any such disease to be removed to the pest house, or some other place, if the health physician shall certify that such removal is necessary for the preservation of the public health. Nothing herein contained shall be construed to abridge in any manner the right of every citizen to be attended by his own physician or to remain in his own house while sick with any disease herein referred to, provided the public health is not affected or endangered thereby. In case of severe visitation of any such disease, the board shall have power to provide hospitals and pest houses, and make proper provision for the suitable care of the sick, and shall have authority to exercise any and all power incident to the preservation of the good health of the city in such cases, to remove from the city or destroy furniture, wearing apparel, or other property infected with any such disease, and to cleanse infected or unwholesome buildings and places.

1011. § 5. In case of pestilential epidemic, infectious, contagious, and dangerous diseases, the Board of Health shall have power to employ and appoint a health physician and prescribe his duties.

1012. § 6. When any person infected with any infectious, contagious, or dangerous disease has not been removed to the pest house as provided herein, the Board of Health is hereby authorized to guard against the spread of such disease by establishing limits, within which no person shall enter except those necessarily in attendance upon such person, or upon the order of the board, and by adopting any other means which may to them seem advisable. It shall be the further duty of the Board of Health to cause a notice, written or printed in large letters, to be

placed upon or near any house in which any person may be affected or sick with any such disease, upon which shall be written or printed the name of such disease, and any person willfully entering such limit at such times contrary to the provisions of this section, or who shall deface, alter, mutilate, destroy or tear down or remove the notice herein named without permission from the Board of Health, shall upon conviction be fined in any sum not exceeding one hundred dollars.

1013. § 7. That for the purpose of guarding against the introduction of contagious, infectious, or dangerous diseases, it is hereby made the duty of all physicians and keepers of hotels or boarding houses in said city, and persons in charge of railroad trains entering the city, to report in writing to the health officer without delay every case of cholera, small-pox, scarlet fever, diphtheria, or other contagious, malignant, or unusual disease coming to their knowledge within the city or vicinity thereof, and every physician or other person as aforesaid willfully neglecting to report any such case, with name and residence, for more than twelve hours after obtaining knowledge of the same, shall upon conviction be fined in any sum not exceeding one hundred dollars nor less than twenty dollars.

1014. § 8. No person in said city having the small-pox or any other contagious or infectious disease shall leave his or her room, and no person convalescent, or recently recovered, having had such disease, shall go abroad in said city, without first obtaining from the health officer a permit in writing for that purpose; nor shall the nurse or attendant upon any patient, sick of such disease, leave the premises where such patient may be, without a permit as aforesaid, either of which may be granted in every case upon a certificate from the attending physician of such patient satisfactory to said officer; and it is hereby made the duty of the health officer, before granting any such permit, to require that such patient, nurse, or attendant shall put off and destroy the clothing worn during sickness or attendance as aforesaid, or that the same shall be so disinfected that there can be no danger of contagion therefrom. It shall be the duty of every person

controlling premises occupied by any such patient to thoroughly cleanse, fumigate, and disinfect the same.

1015. § 9. Every person being the parent or guardian, or having the care, custody, or control of any minor or other individual, shall (to the extent of any means, power, and authority of said parent, guardian, or other person that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently, and effectually vaccinated that such minor or individual shall not take or be liable to take the small-pox.

1016. § 10. That every animal that is mad, or has the hydrophobia, shall by the person owning or having the possession, charge, or control thereof be at once killed, and every animal that has been exposed to such disease shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease, and so as to avoid all danger to life or health; and the dead body of any animal that died of such disease shall be at once by such person buried not less than three feet under ground outside of the city. No animal of the dog kind shall be allowed or permitted to run at large within the limits of the city of Lincoln between the first day of June and the first day of October of each year, unless the same be securely muzzled with a wire muzzle fastened on with leather strap or chain. And it shall be lawful for any policeman or other person authorized by the Mayor to kill and destroy any such animal running at large contrary to the provisions of this section.

1017. § 11. Every physician, midwife, and other person who may professionally assist or advise at any birth in the city shall make and keep a registry of every such birth, and therein enter the time and place, ward, and street and number of such birth, and the sex and color of every child born, and the name and residence of each of the parents (so far as the foregoing facts can be ascertained). Every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person in this city, shall make and keep a registry of such death, stating the cause thereof

and specifying the date, hour, place, street and number of such death.

1018. § 12. It is hereby made the duty of every person mentioned in the last preceding section (required to make or keep such registry) to file with the health officer a written report, by him signed, of all the facts in said register required to be entered, during the first week of the months of January, April, July, and October of each year, of all entries made during the preceding three months.

1019. § 13. It is hereby made the duty of every undertaker or other person before removing any corpse for burial to obtain from the Board of Health a permit so to do; and before obtaining such permit, he shall deposit with the health officer a certificate setting forth, as nearly as can be ascertained, the name, age, sex, nativity, color, occupation, whether married or single, number and street of late residence in the city, time of residence therein, place of previous residence, cause and date of death, duration of last illness, and the place and date of intended interment, which certificate shall be signed by the physician or surgeon in attendance at the time of death. In case a coroner's inquest shall be held, the fact shall be stated, and the coroner shall be required to certify the fact to the Board of Health; and no sexton or other person shall assist in or assent to or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which permit has not been given authorizing the same. Such permit shall be delivered by the undertaker to the sexton or any other person receiving such corpse for burial or transportation to some other place for interment and by him returned to the health officer with the date of its receipt and the disposition of such corpse indorsed thereon. No interment shall be made at any place within the city limits and at no place except in a regular cemetery.

1020. § 14. It is hereby made the duty of the health officer to prepare and furnish, at the expense of the city, all the necessary blanks for physicians and other reports required by this ordinance, and certificates of death, burial permits, etc.

1021. § 15. The permitting or maintaining of stagnant water on any lot or piece of ground within the city of Lincoln is hereby declared to be a nuisance, and every owner or occupant of a lot or piece of ground within the said city is hereby required to drain or fill up said lot or piece of ground whenever the same is necessary so as to prevent stagnant water or other nuisance accumulating thereon, and it shall be unlawful for any such owner or occupant to permit or maintain any such nuisance.

1022. § 16. It shall be unlawful for any person or persons to keep any cattle, hogs, horses, or other animals in any pen, shed, or yard within the city from which any deleterious or offensive odor shall be emitted.

1023. § 17. No salted or green hides shall be stored in any warehouse or other building or other place within the city, so that odors arising from said hides shall annoy or disturb the occupants of the houses in the vicinity thereof.

1024. § 18. No distiller, tanner, brewer, butcher, pork or beef packer, soap boiler, tallow chandler, or any other person whomsoever shall cause or suffer any offal, manure, rubbish, filth, still slops, or any refuse animal or vegetable matter, or any foul or nauseous liquors to be discharged out of or flow from any premises owned or occupied by him, or to be left in or thrown into, deposited, or upon any street, alley, avenue, public square, vacant lot, or other place in said city.

1025. § 19. No person shall permit or suffer any substance of the nature mentioned in the preceding section, which is liable to become putrid, offensive, or injurious to the public health, to remain on any premises owned or occupied by him in this city for a longer period than twenty-four hours at any one time from the first day of April to the first day of November, nor exceeding forty-eight hours during any other part of the year.

1026. § 20. No person shall be permitted to carry on any business or occupation in this city that is dangerous or detrimental to life or health, and every such business or occupation shall be promptly discontinued.

1027. § 21. The rendering, heating, or steaming of any animal or vegetable product or substance, generating noisome or unwholesome odors or gaseous vapors, shall be conducted in steam tight kettles, tanks, or boilers, and such method adopted as will entirely condense, decompose, deodorize, or destroy the odors, vapors, and gaseous products; and no person shall be permitted to burn upon his premises, or in any street, alley, or other place, any animal or vegetable substance which will create noisome or unwholesome odors.

1028. § 22. All privy vaults within that portion of the city wherein sanitary sewers may now or hereafter be constructed shall be constructed of brick laid in hydraulic cement, the walls and bottom to consist of two shells or rings of brick work, and of such form and dimensions as shown by plan on file in the office of the City Engineer. All such vaults shall be constructed and connections of same with sanitary sewers shall be made under the direction and supervision of the sewer inspector. Said vaults can only be connected with the sanitary sewers through intervening or receiving basins, and the outlet pipe from all such vaults must not be less than three feet above their bottoms, so as to retain all solid matter and effectually prevent anything but liquid contents of the vaults from passing into the drainage pipes and receiving basins. Such vaults shall be located at such places on the premises as the health officer shall designate. It shall be unlawful for any person to locate, construct, or maintain any privy vault in the sanitary sewer district except in compliance with the provisions of this section.

1029. § 23. The owner or occupant having charge of any tenement used as a dwelling or for the purpose of housekeeping or lodging within the city limits shall furnish the same with a suitable receptacle for all kitchen-waste, slops, and garbage.

1030. § 24. The permitting of slops and garbage to be deposited in manure heaps and thrown in the alley is hereby declared to be a public nuisance, and every occupant of any house, block, or dwelling within said city is hereby required to put all slops, garbage, and kitchen-waste into a receptacle on the inside

of the alley fence or alley line. And any person who shall violate any of the provisions of this ordinance shall upon conviction be fined in any sum not exceeding twenty (\$20) dollars, and stand committed until such fine and the costs of prosecution are paid.

1031. § 25. The owner, agent, or person having charge of any tenement used as a dwelling or for the purpose of lodging within the city limits shall furnish the same with a suitable privy or water-closet for the accommodation of all occupants of said premises.

1032. § 26. All privies outside of that portion of the city reached by the sanitary sewers shall be furnished with a substantial vault, at least eight feet deep, and made tight so that the contents cannot escape therefrom, and sufficiently secured and inclosed.

1033. § 27. No privy vaults in the city of Lincoln shall be erected or continued within twenty feet of any dwelling, shop, or well unless such vault be constructed and located in accordance with the provisions of section 22 of this ordinance.

1034. § 28. No person shall use any well upon any premises belonging to or occupied by him in this city as a cess pool or as a place to deposit anything of a foul, nauseous, offensive, or injurious nature, and no cess pool shall be constructed or maintained within fifty feet of any well in said city.

1035. § 29. No person shall draw off or allow to run on any ground, street, or alley of this city, the contents, or any part thereof, of any vault, privy, cess pool, hog-pen, or sink; nor shall any owner, tenant, or occupant of any building to which any vault, sink, privy, or cess pool shall appertain or be attached permit the contents to become nauseous, foul, offensive, or injurious to the public health, and it is hereby made the duty of every such person to keep or cause the same to be kept in good and clean condition.

1036. § 30. No privy, vault, sink, or cess pool shall be opened nor the contents thereof disturbed or removed between the hours of 6 o'clock A. M. and 10 o'clock P. M. of any day, nor

shall such contents be deposited or buried within the city except upon the special permission of the health officer and in such manner and place as he shall direct. And no privy vault or cess pool or sink shall be filled up or abandoned unless the contents thereof are first entirely removed, and such filling shall be done under the direction of the health officer.

1037. § 31. It is hereby made the duty of every owner, tenant, or occupant of any premises in this city to cause the privy vault or cess pool connected with such premises to be disinfected by using lime or some other disinfectant once in each week between the 1st day of June and the 15th day of September of each year.

1038. § 32. Whenever in the opinion of the Board of Health or health officer any privy vault, cess pool, or sink shall be offensive and need cleaning, it shall be their duty to notify the owner, agent, or occupant of the premises to which the same is appurtenant or attached to cleanse the same within a period named in said notice, and if the person so notified shall fail to comply within the time mentioned, it shall be the duty of said board to cause said vault, cess pool, or sink to be cleansed, and the expense shall be collected by civil action against the owner of such premises. And the person so failing to comply with said notice shall on conviction be fined in any sum not more than fifty dollars.

1039. § 33. No person, company, or corporation shall empty, clean, or remove any slops or offal, or remove any dead animal, or the contents of any privy vault, cess pool, or sink, or in any manner engage in the business of hauling dead animals, slops, or offal, or of vault, cess pool, or sink cleaning, for hire, without first having obtained a license so to do. Such license shall be issued by the City Clerk upon the recommendation of the Board of Health, and shall continue in force for one year from its date, unless sooner revoked as herein provided. The applicant shall pay to the City Treasurer for such license the sum of fifteen dollars. Such license may be revoked by the Board of Health at any time upon the failure of such licensee to fully observe the

provisions of this ordinance relating to his said business. Such licensee shall also execute a bond to the city in the penal sum of \$500 with two or more sureties, conditioned that said licensee will comply with the provisions of this ordinance relating to his business, and will obey and comply with the regulations and directions of the Board of Health. No licensee shall be authorized to use more than two wagons or tanks at the same time for the cleaning of privy vaults, cess pools, or sinks, and one wagon for hauling offal, manure, and other matter for which these licenses are granted. No license shall be transferred without the written consent of the Mayor indorsed thereon. Any agreement or combination entered into by two or more licensees, made for the purpose of monopolizing, or controlling such business, shall be deemed a violation of the provisions of this ordinance. Each wagon in use shall contain the number of the license plainly marked thereon.

1040. § 34. The cleaning, emptying, and removing the contents of privy vaults, cess pools, and sinks shall be done in an inoffensive manner, and any scavenger having begun such scavenger work shall without interruption or delay finish the same and shall in every instance leave the vault, cess pool, or sink in as good condition as when the work was undertaken. In no case shall the contents of any privy vault be removed unless the same is properly disinfected before the work is commenced, and also after the completion of the cleaning. This business shall be carried on with the most strict regard to cleanliness. The contents so removed shall be conveyed beyond the city limits in air tight tanks or vessels and shall be disposed of in such manner as to cause no offense and as the health officer shall direct. All carts, tanks, and vessels used for the purpose must be water tight, and the same must be thoroughly washed and disinfected immediately after being emptied.

1041. § 35. All persons licensed as scavengers in this city shall provide a suitable barn or enclosure for the proper storage of their tanks, carts, and tools, and in no case shall a tank or cart be permitted to stand upon the streets, alleys, or vacant lots

of the city, except when actually employed in use in the scavenger business. The health officer shall at least once a month cause every tank and cart that is used in the business of vault cleaning or removal of slops to be carefully inspected, and if any tank or cart be found in a leaking condition or from any cause unfit to use, he shall notify the owner of the same and such tank or cart or shall not be used until placed in good condition. Every scavenger shall place in a conspicuous place upon each cart or tank its number, the figures to be at least three inches in length, in white paint, upon a black ground. The business of vault cleaning shall be carried on between the hours of 10 o'clock P. M. and 6 o'clock A. M., and at no other time.

1042. § 36. If any animal shall die in the possession of any person in this city, it shall be the duty of such person to cause the same to be at once removed without the limits of the city and buried or otherwise disposed of. Such burial or disposition shall be at a place prescribed by and under the direction of the health officer. In case the owner or person having charge of any such animal shall neglect or refuse to remove such dead animal within ten hours after its death, the health officer shall cause the same to be removed at the expense of such owner or person having charge of the same, such expenditure to be recovered in a civil action. Whenever the owner or other person having charge of any dead animal cannot be found, it shall be the duty of the health officer to cause such animal to be removed and buried at the expense of the city. The health officer in such work shall be allowed the assistance of such prisoners as may be confined under sentence in the city jail.

1043. § 37. It shall be unlawful for any person to deposit, or bury, on any of the streets or alleys or other places within the limits of the city of Lincoln, or cause to be buried, any carcass of any dead animal of any kind; and it shall be unlawful for the owner or person having possession of any animal that shall die to suffer the carcass of any such animal to remain within the corporate limits of said city for more than ten hours after the death of said animal, and it shall be unlawful for any person to

deposit the carcass of any dead animal within three miles of the corporate limits of said city, except under the direction of the health officer as provided in the preceding section.

1044. § 38. It is hereby made the duty of the Board of Health to select and provide suitable dumping grounds for the deposit of all scavenger matter, refuse, dirt, filth, and slops of the city, and to establish suitable burying ground or place for the disposal of dead animals.

1045. § 39. No slaughter house shall be established or maintained within the limits of the city or within 500 feet outside thereof, except upon permission of the Board of Health and in accordance with the following conditions: The house, yard, or place where the killing shall take place shall have a perfectly water tight floor, in which there shall be no breaking of joints nor openings of any kind, excepting such as shall have a water tight tube with grating, one-half inch holes, making a direct connection with proper ditch or drainage on the outside of the place where the killing is done; and such floor shall be washed and cleaned at the end of every day when killing has been done on the premises, and no hog or other animal shall be permitted to run or remain under any slaughter house, and each slaughter house or place used for killing of animals shall be whitewashed at least once in every month between the first of April and the first of November of each year, and continually kept free from filth, so as not to be or become offensive or annoying or prejudicial to the health of any citizen or the public; *Provided*, That no permit shall be granted by the Board of Health for the erection of a slaughter house at any place where the same will disturb or annoy any of the citizens of the city.

1046. § 40. No person or persons shall slaughter any cattle, calves, sheep, lambs, or swine, nor shall any person engage in the business of slaughtering fowls within the limits of this city or within 500 feet outside thereof, except at a regularly established slaughter house as provided in the preceding section.

1047. § 41. No person or persons shall bring into this city or sell or offer for sale for human food in any market, public or

private, any cattle, sheep, swine, lambs, fresh meat, fresh fish, game, or poultry that is diseased, unsound, unwholesome, or unfit for human food, or which has been condemned by the inspector of live stock or health officer of the city.

1048. § 42. No diseased, blown, plaited, raised, stuffed, putrid, impure, overheated, or unwholesome meat or the meat of any animal, fish, bird, or fowl that may have died of disease or accident shall be held, bought, or sold or offered for sale for human food or held or kept in any market, public or private, in this city.

1049. § 43. No person or persons shall bring into this city or sell or offer for sale any cattle which have been exposed to or that are liable to communicate the cattle disease, nor the meat or milk of any such cattle.

1050. § 44. No person shall kill any cow, sheep, or hog that is pregnant, nor shall any animal be slaughtered while it is overheated or in a feverish condition. And the meat of any such animal shall not be held or sold or offered for sale for human food in any market or elsewhere in this city.

1051. § 45. No calf, pig, or lamb or the meat thereof shall be bought, held or offered for sale for human food in this city, which when killed shall be less than one month old.

1052. § 46. No person or persons shall hold, sell, or offer for sale or bring into this city for sale any damaged or decayed vegetables or fruit.

1053. § 47. No person or persons shall sell, offer, or have for sale in this city any unwholesome, impure, watered, or adulterated milk, or milk known as swill milk, or milk from cows that are fed on swill, garbage, or other like substance, or any butter or cheese made from such milk.

1054. § 48. No butcher, milk dealer, green grocer, fruit dealer, or other person dealing in any substance used for human food shall refuse to allow the health officer to fully inspect any and all substances and materials held, offered, or intended for sale, and he shall answer all reasonable and proper questions asked by said health officer relative to the condition thereof,

place where such substances and material may be and of whom procured, and it shall be unlawful for any person to molest or resist the health officer in the proper discharge of his duties.

1055. § 49. It is hereby made the duty of every hotel keeper, boarding house keeper, and restaurant keeper to provide and use a tank, made according to plans and specifications on file in the office of the City Engineer, from substantial material, lined with or made of iron, tin or zinc, and provided with a self closing lid, for the purpose of receiving all the slop, offal, and waste from his place of business.

1056. § 50. Any person who shall violate any of the provisions of this ordinance for which a penalty is not otherwise herein provided or who shall violate any of the rules and regulations of the Board of Health shall upon conviction be fined in any sum not exceeding one hundred dollars and stand committed until such fine and the costs of prosecution are paid.

§ 51. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 52. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE regulating the use of horses and other animals in the city of Lincoln, prohibiting fast driving, fixing a maximum rate of speed at which animals may be driven or ridden, prohibiting riding or driving horses in certain places, prohibiting horse racing or betting on horse racing in the city of Lincoln, prohibiting the leaving of horses unfastened in the city of Lincoln, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XXXVIII.

Horses.

1057. § 1. No person shall ride or drive any horse or horses or other animal in the city of Lincoln with greater speed than at the rate of six miles an hour, under penalty of a fine of not more than twenty dollars for each offense.

1058. § 2. No person, upon turning the corner of any street, or crossing the intersection of any street in the city of Lincoln,

shall ride or drive any horse or horses or other animal with greater speed than at the rate of four miles an hour, under penalty of a fine of not more than ten dollars for each offense.

1059. § 3. No person shall ride or drive any horse or horses or other animal, in or through any alley in the city of Lincoln, or at the time of issuing from or quitting such alley, with a greater rate of speed than a walk, under penalty of a fine of not more than five dollars for each offense.

1060. § 4. No horse shall be suffered or permitted to go loose or at large in any of the streets in this city, under penalty of a fine of not more than five dollars for each offense.

1061. § 5. No person shall suffer or permit to go, or lead or ride or drive any horse upon any sidewalk in this city, under penalty of a fine of not more than five dollars for each offense.

1062. § 6. No person shall run or race any horse in any public street, road, or avenue in this city, under a penalty of a fine of not more than twenty dollars for each offense.

This section shall be construed to prevent and punish the running, racing, or trotting, of any horse or horses for any trial of speed, or for the purpose of passing any other horse or horses, whether the same shall be founded upon any stake, bet or otherwise.

1063. § 7. No person shall leave any horse, horses, or other animal, attached to any carriage, wagon, cart, sleigh, sled, or other vehicle, in any part of the streets of this city, without securely fastening such horse, horses, or other animal, under penalty of a fine of not more than ten dollars.

§ 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 9. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating hotel runners in the city of Lincoln, providing for taxing and licensing them, prohibiting them from carrying on business in certain ways, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XXXIX.

Hotel Runners.

1064. § 1. That it shall be unlawful for any person or persons, within the corporate limits of the city of Lincoln, to solicit or run for customers for any hotel or boarding-house therein, to and from or about any depot buildings or grounds in said city, without having first complied with the provisions of this ordinance, and every person so offending shall, on conviction thereof, be subject to the penalty hereinafter provided.

1065. § 2. Every person who shall engage in the business of soliciting customers for hotels or boarding-houses as aforesaid in said city, shall first procure a license so to do from said city, and shall pay therefor to the Treasurer of said city, the sum of five dollars per annum, or the sum of fifty cents per month, and no such license shall be granted for a period of time less than one month. Upon presentation to the Clerk of said city of the Treasurer's receipt for said sum or sums, said Clerk shall issue said license, under the seal of said city, which license shall specify the name of the person so licensed, the number thereof, the name of the hotel or boarding-house for which the licensee is to solicit custom, and the time said license is to run, and the same shall not be transferable.

1066. § 3. Every person so licensed shall, before engaging in said business, provide himself with a suitable badge, upon which shall be plainly inscribed the name of the hotel or boarding-house which he represents, and also the number of his said license, which badge shall be conspicuously worn upon the person when soliciting customers as aforesaid.

1067. § 4. It shall be unlawful for any hotel or boarding-house runner, licensed as aforesaid, to use or practice deception of any kind upon travelers, or to annoy travelers, or others, in

plying their vocation, or to so conduct themselves at any railroad station as to annoy or interfere with the business of the railroad employes thereat, or others having business at such stations, or to quarrel, curse, swear, halloo, use loud or boisterous or indecent language, or to annoy the public or any person by any sort of disorderly conduct whatever, while awaiting customers, or at any other time.

1068. § 5. It shall be the duty of the Chief of Police, in connection with the agents of the respective railroad companies having depots in said city, to permanently mark upon the platforms of said depots a line to which said runners may approach when soliciting customers. It shall be unlawful for any runner as aforesaid, to occupy or take up any other position or place than that so assigned to him or them, and it shall be the duty of all policemen of said city, or any special policeman on duty at said depots, to see that the provisions of this section are complied with, and all such runners as aforesaid shall be subject to the directions of any and all police officers of said city, in the proper enforcement of this ordinance.

1069. § 6. The driver of any licensed coach in said city, who shall engage in soliciting customers for any particular hotel or boarding house in said city, in addition to that of coachman, shall also comply with the provisions of this ordinance in all particulars, and be subject to all of its regulations and penalties, and in addition to the name of the hotel or house he represents, and the number of his runner's license, shall also have inscribed upon his badge the words, "Coach License No. —," representing the coach in his charge.

1070. § 7. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding five dollars for each offense, and shall stand committed to the jail of said city until such fine and costs are paid, or secured in the manner provided by law.

§ 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 9. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to punish vagrants and to prohibit, restrain, and suppress houses of ill-fame and prostitution in the city of Lincoln, to punish the maintaining and keeping the same, to prohibit the visiting and frequenting thereof, to prohibit all persons from allowing known prostitutes to visit their rooms or houses, fixing the testimony requisite to establish the character of houses of prostitution, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XL.

Houses of Ill-Fame.

1071. § 1. That any building or place within the limits of the city of Lincoln, wherein indecent and lewd practices are indulged in and permitted, shall be deemed a house of ill-fame and prostitution.

1072. § 2. It shall be unlawful for any person or persons within the limits of said city to keep, maintain, or have control of, as mistress or otherwise, any such house of ill-fame or prostitution, and every person so offending shall, upon conviction thereof, be fined in any sum not less than twenty nor more than one hundred dollars for each offense, and shall be committed until such fine and costs of prosecution are paid. And all idle persons not having visible means of support and maintenance, and who live without employment, and all persons wandering abroad and living in taverns, groggeries, beer houses, market places, sheds, barns, or in open air, and not giving a good account of themselves, and all persons wandering about and begging, or who go about from door to door, or from place to place, or occupy public places for the purpose of begging and receiving alms, and all prostitutes, and all keepers, occupants, lessees, tenants, and pimps of houses used for prostitution or gambling, shall be deemed and are hereby declared to be vagrants, and upon conviction thereof shall be fined not exceeding fifty dollars, or imprisoned in the city jail not to exceed three months.

1073. § 3. It shall be unlawful for any person or persons within the limits of said city to be harbored or concealed in any such house of ill-fame or prostitution as an inmate thereof, or who shall be connected in any manner therewith, contributing to

the support thereof, and any person so offending shall, upon conviction thereof, be fined in any sum not less than ten nor more than one hundred dollars, and shall be committed until such fine and the costs of prosecution are paid.

1074. § 4. It shall be unlawful for any person within the limits of said city to visit or frequent any such house of ill-fame or prostitution in the night time, or at any other time, for the purpose of prostitution, or for the purpose of indulging in any indecent or lewd practices therein; and every person so offending shall, upon conviction thereof, be fined in any sum not less than twenty nor more than one hundred dollars, and shall be committed until such fine and the costs of prosecution are paid.

1075. § 5. That it shall be unlawful for any person within said city to cause or permit any known prostitute to visit or frequent his or her room or lodging place in the night time or at unseasonable hours, and every person so offending shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined in any sum not exceeding fifty dollars for each offense, and shall be committed until such fine and costs are paid.

1076. § 6. In order to convict any person for a violation of any of the provisions of this ordinance, the character of such house or place may be established by proof that the same is generally reputed to be a bawdy house, house of ill-fame, assignation house, or place for the practice of fornication.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the sale of ice and the use of ice wagons in the city of Lincoln, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XLI.

Ice.

1077. § 1. No person shall sell or expose for sale any impure ice within the limits of this city; and all ice sold, offered, or exposed for sale, shall be sold by avoirdupois weight, except in cases where it may be otherwise agreed upon between the buyer and seller.

1078. § 2. All sellers of ice at the time of the delivery thereof shall be provided with suitable steelyard, balance, or other apparatus for weighing, duly adjusted, with which to weigh the quantity of ice sold, if required by the buyer.

1079. § 3. It shall not be lawful for the owner or driver of any wagon used for the sale of ice in any of the streets of this city, to permit or allow the scale, balance, steelyard, or other apparatus thereon, or the beam to which it may be attached, or other implements for handling ice, to project or hang outside or beyond the side or end of such wagon when in motion.

1080. § 4. Any person violating any provision of this ordinance shall be subject to the penalty of not more than five dollars fine for each offense.

§ 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 6. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to license and regulate intelligence offices in the city of Lincoln, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XLII.

Intelligence Offices.

1081. § 1. Any person who shall establish or keep any office or place within the city of Lincoln for the purpose of obtaining place or employment for male or female servants, laborers, or other persons, or for procuring or giving information concerning place or employment for or to such persons, or for procuring or giving information concerning such servants, laborers, or other employes for or to employers, shall be deemed a keeper of an intelligence office.

1082. § 2. It shall be unlawful for any person or persons within the city of Lincoln to keep an intelligence office without having first obtained a license so to do as hereinafter provided.

1083. § 3. Any person desiring to conduct an intelligence office within said city, shall first execute and file with the City Clerk a bond to the city of Lincoln in the sum of two hundred dollars, with two or more sureties, to be approved by the Mayor, conditioned for the faithful observance of all ordinances and regulations of said city, and for the honest and faithful conduct of said business, which bond shall be for the benefit of any person injured or damaged by the fraud or willful misconduct of said licensee, and shall also first pay to the Treasurer of said city the sum of ten dollars, and shall file the Treasurer's receipt for the same with the City Clerk, and thereupon, if the provisions of this ordinance have been complied with, said Clerk shall issue a license to conduct said business to the applicant, which license shall be signed by the Mayor and Clerk, and be attested by the seal of said city.

1084. § 4. Each license shall designate the house in which the person licensed shall keep his office, and the number of such li-

cense, and shall continue and be in force until the expiration of the municipal year in which granted and no longer: *Provided*, Said license may be revoked at any time by the Mayor at his pleasure.

1085. § 5. Any person keeping an intelligence office as aforesaid who shall directly, indirectly, or through any agent, person, or persons, make use of any improper device, deceit, false representation, false pretense, or any imposition whatsoever, for any improper purpose, or for the purpose of obtaining a fee, money, gratuity, or other thing of value from any customer, person or persons, patron or patrons, or who shall keep an intelligence office in said city without having a license as aforesaid, or after the same shall have been revoked, or shall have expired, shall, on conviction, be fined in any sum not less than one dollar nor more than one hundred dollars, and shall stand committed until said fine and the costs of prosecution are paid.

§ 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 7. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE providing the necessary and needful rules for the government of the City Jail in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1085*a*. § 1. That hereafter the following rules and regulations shall be observed in the government of the City Jail:

RULE 1.—The Chief of Police shall, subject to the order of the Mayor and Council, have general charge of and be responsible for the management and control of the City Jail, and it shall be his duty to daily make a personal inspection of the cells, rooms, and apartments of the said jail, and he shall, from time to time, make such suggestions concerning the needs of said jail to the Mayor and Council as he shall deem proper.

1085*b*. RULE 2.—When not rendered impossible because of lack of capacity of the jail, prisoners shall be classified, and kept apart as follows:

(a.) Males shall be kept separate from females.

(b.) The young offenders sentenced and committed, or held for examination, shall be kept separate and apart from the old offenders.

(c.) Any prisoner confined in said jail who is suffering from any contagious or loathsome disease shall be kept separate and apart from all others.

(d.) All persons held for examination shall be kept separate and apart from prisoners sentenced and committed.

1085c. RULE 3.—Whenever any prisoner is committed who is suffering from any contagious or loathsome disease, his case shall at once be reported to the City Physician.

1085d. RULE 4.—All cells and apartments shall be thoroughly washed and cleaned at least once every week; and at least once during each of the months of May, June, July, August, September, and October of each year the walls and ceilings of all such cells and apartments shall be thoroughly white-washed or painted. All of such work shall be done by the prisoners under the direction of the Chief of Police. Each cell or apartment shall be thoroughly swept and aired each morning, and all linen and cotton bed clothing used in said jail shall be washed at least once a week, and all other bed clothing shall be washed as often as may be deemed necessary by the City Physician. Whenever any bed clothing has been used by a prisoner suffering from any contagious or loathsome disease, and in the opinion of the City Physician the same cannot be cleansed so as to make same safe, and he shall so certify in writing to the Chief of Police, then the same shall be destroyed.

1085e. RULE 5.—No intoxicating liquors, alcoholic or fermented, shall be furnished to prisoners or be allowed to be used by any persons confined in said jail except same shall be prescribed for such prisoner by the City Physician.

1085f. RULE 6.—(a.) All persons confined in said jail shall have the right to have an attorney at law called for them, upon their request for same, at any reasonable hour, and any such attorney shall be permitted by the officer in charge to have free

communication with the prisoner so calling him, and for the proper carrying out of the foregoing provisions a suitable room shall be furnished by said Chief of Police. In no case shall any person be allowed to go into the cells or apartments where prisoners are confined, except in the presence of and accompanied by an officer. Nor when so permitted to go into said cells or apartments shall conversation be permitted between such person and such prisoner: *Provided*, If there shall be a prisoner confined in said jail, who by reason of sickness or other bodily infirmity is unable to be brought to such consulting room, then the officer in charge of such jail shall permit such consultation to be had as shall be most expedient, due regard being had both for the needs of such prisoners and the proper government of said jail.

(b.) Opportunity for conversation shall at all reasonable hours be permitted between any prisoner in said jail and a resident clergyman, as his spiritual adviser, under such conditions as shall be deemed best by the officer in charge of such prisoner.

(c.) No conversation of any character shall be permitted between prisoners of different sexes, or of different classes, nor shall any conversation be had between such prisoners and their friends, except in the presence and hearing of the officer in charge of such prisoner.

1085*g*. RULE 7.—All mails and packages for prisoners shall be opened and examined by said Chief of Police, the captain in charge of the office, or the Police Matron, and a record thereof made before delivering the same to the prisoner. And all mails and packages sent out of said jail by any such prisoners shall be opened and examined by some one of aforesaid officers before same is allowed to go out of said jail. In order to properly enforce this rule, it shall be the duty of the officer in charge of such prisoner, if in his judgment there is reason to believe that any attempt has been or will be made to violate same, to search such prisoner before and after any consultation is or has been permitted between such prisoner and any person.

1085*h*. RULE 8.—For any violation of the rules herein prescribed, or for the destruction of furniture or other property of

the jail, or boisterous and disorderly conduct by prisoners, or attempt to break jail, the officer in charge of said jail, or the officer having such prisoner in custody and care, shall have power to restrain such prisoner by such force and punishment as may be deemed necessary to accomplish such restraint and to restore and maintain good order, provided no cruel or unusual punishment shall be inflicted.

1085*i*. RULE 9.—It shall be unlawful for any prisoner or prisoners to smoke cigarettes in any of the cells or any apartment of the city jail.

§ 10. This ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

Introduced by C. J. Roman, Councilman.

Passed March 18, 1895.

Approved March 21, 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

A. H. WEIR, *Mayor*.

AN ORDINANCE regulating street lamps, lights, post-office boxes and signs in the city of Lincoln, prescribing penalty for defacing or injuring the same, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XLIII.

Lamps.

1086. § 1. The Assistant Street Commissioner or Sidewalk Inspector shall have charge or control of, and shall erect, all street signs designating the names of the streets which shall be placed as the Mayor and Council may from time to time direct.

1087. § 2. The Post-office Department is hereby granted permission to attach and fasten post-office boxes to the public lamp-posts in this city; and any person or persons who shall deface, or in any way injure, any such post-office box, shall, for each offense, be subject to a fine of not more than twenty-five dollars.

1088. § 3. No person, unless authorized by the respective contractors for lighting the streets, shall at any time light or extinguish, or cause to be lighted or extinguished, any lamp or light used for the purpose of lighting public streets which such contractor is or shall be required to light under his contract made

with the city, under penalty of a fine of not more than ten dollars for each offense.

1089. § 4. Any person breaking, mutilating, or obstructing, any of such lamps or lights of this city shall be fined in any sum not exceeding ten dollars for each offense.

1090. § 5. Any person who shall break, misplace, or carry away, any of the street-signs now or hereafter to be placed on any of the public lamps, shall be fined in any sum not exceeding ten dollars.

1091. § 6. Any person who shall carelessly or maliciously break, deface, or in any way injure or destroy, any public lamp or lamp-post in this city, or climb upon, or hitch any horse or other animal to any public lamp-post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood, or any other heavy material, upon or against the same, or meddle with any service pipes or stop boxes, shall be fined in any sum not exceeding twenty dollars.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE providing for the establishment and maintenance of a public library and reading-room in the city of Lincoln, providing for a tax for the support thereof, creating a Library Board, providing for appointment of the members thereof, fixing the duties, qualifications, and terms of office of the members thereof, prescribing penalty for injuring or defacing library books or property, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XLIV.

Library.

1092. § 1. Under and by virtue of an act of the Legislature of the state of Nebraska, entitled "An act to authorize incorporated towns and cities to establish and maintain free public libraries and reading-rooms," approved February 17, A. D. 1877, there shall be established and maintained in the city of Lincoln a free public library and reading-room, for the use of the

inhabitants of the city of Lincoln, and there shall be annually levied for the support thereof, a tax of not to exceed one mill upon the dollar valuation upon the assessment-roll of the city of Lincoln, the same to be collected, expended, and known, as a library fund.

1093. § 2. At the first meeting of the City Council in July of the year 1880, there shall be elected by the Council a Library Board of nine directors, who shall be residents of the city of Lincoln, and not under twenty-one years of age, three of whom shall be chosen for the term of one year, three for the term of two years, three for the term of three years; and annually, at the first regular meeting in July, in each year, shall be elected three directors, who shall hold their office for the term of three years, and until their successors are elected and qualified, and vacancies occurring in the Board of Directors shall be filled by the Council by appointment for the unexpired term.

1094. § 3. The directors so elected shall each give to the city of Lincoln, for the faithful performance of their duties, a bond in the sum of two hundred dollars, with at least one sufficient surety, which bond shall be approved by the Mayor and filed with the City Clerk.

1095. § 4. The Library Board shall have such powers as are conferred by the act of the Legislature aforesaid, and it shall, annually, on or before the first Monday in June in each year, make to the City Council, and file with the City Clerk, their report, as in said act provided, with such other matters as the Council may by resolution require.

1096. § 5. The Library Board shall, at the first meeting of the Council after their election and organization, report the fact of their organization to the City Council, and file the same with the Clerk. They shall, from time to time, as they may make, adopt, or amend, alter or revise, by-laws, rules, or regulations, for the use of the government of the library or reading-room, report the same to the City Council, and file a copy thereof with the City Clerk, and the same shall be by the Clerk recorded at large and indexed in the records of his office.

1097. § 6. Any person who shall willfully or maliciously cut, write upon, injure, deface, tear, or destroy, any book, newspaper, plate, picture, engraving, or other thing of value, belonging to the Lincoln Public Library, shall be liable to a fine of not more than fifty dollars for each offense.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to regulate and license transient dealers and license and regulate certain occupations in the city of Lincoln, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XLV.

Licenses.

1098. § 1. It shall not be lawful for any person, association, or corporation, to exercise, carry on, or engage in, any of the following occupations, trades, or agencies, in the city of Lincoln, without a license therefor from said city, and the charge of such license shall be respectively as follows:

Amusements, see article III of chapter XIV.

Auctioneer, one hundred dollars per year.

Book agent, fifty cents per day, \$1.50 per week, three dollars per month, or ten dollars per year.

Billiard table or ball alley, ten dollars per year.

Bill-posters, fifteen dollars per year.

Clairvoyant or fortune teller, fifty dollars per year.

Coach, omnibus, cab, or carriage driver, ten dollars per annum.

Commercial agency, thirty dollars per year.

Corn doctor, ten dollars per year.

Dray, cart, or wagon driver, ten dollars per annum for two-horse vehicle, five dollars per annum for one-horse vehicle.

Hawker of fruit, ten dollars per month, thirty dollars for six months, or sixty dollars per year.

Hawker of butter, eggs, vegetable and farm produce, two dollars per week, five dollars per month, ten dollars for six months, or fifteen dollars per year.

Hotel runner, five dollars per annum, fifty cents per month.

Meat or fish peddler, one dollar per day or fifty dollars per year.

Intelligence office, ten dollars per annum.

Patent right dealer, two dollars per week, or fifteen dollars per year.

Pawnbroker, thirty-five dollars per annum, twenty dollars for six months.

Peddler of trees, shrubs, and plants, two dollars per week, or ten dollars per year.

Peddler of merchandise, two dollars per week, five dollars per month, twenty-five dollars for six months, or fifty dollars per year.

Plumber, five dollars per annum.

Resident merchants, fifty dollars per annum.

Scavenger, fifteen dollars per annum.

Steam carousals, one hundred dollars per annum, twenty-five dollars per month, five dollars per week.

Telegraph companies, fifty dollars per annum.

Telephone companies, five hundred dollars per annum.

Transient dealer, five per cent of value of stock.

Weigh-master, ten dollars per month.

Every person who shall sell or offer any goods, wares, merchandise, for sale, barter, or exchange, at any place in, upon, along, or through, the streets, avenues, or alleys, by going from place to place to sell or dispose of the same, shall be deemed a peddler of merchandise. The word merchandise shall be construed to mean any article to be found in any branch of the mercantile business, or any article that may be classed as goods, wares, or merchandise.

Street fakir, meaning one who shall upon any of the streets or sidewalks expose or offer or cry for sale any goods, wares, or merchandise, or articles of any kind, at any stand, street corner, or vehicle, ten dollars per day.

1099. § 2. That any person, company or corporation who shall bring or cause to be brought into the city of Lincoln for the purpose of selling or offering for sale any specific stock of goods, wares or merchandise, or bankrupt or damaged goods, or stocks of merchandise, shall be deemed and considered under the provisions of this ordinance transient dealers.

1100. § 3. That all transient dealers as described in section 2 of this ordinance, before offering for sale any such property within the city of Lincoln, either at auction or otherwise, shall pay to the City Treasurer a sum equal to five per cent of the fair cash value thereof. The provisions of this ordinance shall apply to any addition or increase to such goods, wares, or merchandise, or bankrupt or damaged goods, or stocks of merchandise.

1101. § 4. Any transient dealer, before entering upon such business, or offering any such property for sale, shall make a sworn statement of the value thereof, naming generally the kind of goods, and location thereof, and where the same are to be offered for sale, and file such statement, and an application for a license, with the Treasurer of the city of Lincoln. If said Treasurer is satisfied that such statement represents the fair value of such property he shall, upon payment of a sum equal to five per cent of the amount of such statement by the applicant, issue and give a receipt therefor and the City Clerk shall issue a license thereon, as in other cases of licenses under the ordinances of the city of Lincoln. Should such Treasurer not be satisfied with the correctness of such statement he may cause an examination or appraisement of such property to be made by some competent person or persons to be by him appointed, and if upon said appraisement it is ascertained that the statement heretofore provided for is not a representation of its fair value, such Treasurer shall require the payment of the per cent above provided for to be paid upon such appraisement, and a further sum of five dollars per day for each of the appraisers appointed for the time actually consumed by them in making such examination or appraisement. For the purpose of making such examination and appraisement, or either of them, it is hereby made the duty of

such transient dealers to allow such Treasurer and appraisers to enter any building or place where such property or any part thereof may be situated, and a full and free access to said property for an examination or valuation thereof, and to render whatever assistance that may be necessary to accomplish such examination or appraisement.

1102. §5. Any such transient dealer, whether in person or by agent, offering for sale or selling any such property without first paying to the City Treasurer five per cent of the valuation thereof, as provided in this ordinance, and appraisers' fees whenever chargeable under this ordinance, or violating or refusing to perform any of the provisions of this ordinance, such person, company, or corporation, or any agent thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than one hundred dollars, and stand committed until such fine and costs are paid; and each day any such property may be offered for sale without first complying with the provisions of this ordinance shall be deemed and considered a separate and distinct violation thereof.

1103. § 6. Magnifying glass or telescope on street, two dollars per week.

Lung tester on street, five dollars per week, twenty-five dollars per month, one hundred dollars per year.

Muscle developer on street, ten dollars per week.

Public balls, each, ten dollars.

Public masquerades, each, ten dollars.

Pedestrian exhibition or bicycle race, per day, two dollars.

Wrestling exhibition, each, ten dollars.

Weapons carried on person, fifty cents.

Shooting gallery, two dollars per day, ten dollars per month, thirty dollars per year.

Exhibition of freaks, natural curiosities, jugglery, sleight-of-hand, peep-show, Punch and Judy shows, and exhibitions of a like nature on streets, two dollars per day, five dollars per week.

Exhibitions of stereoscopic views, and like exhibitions, in a

building, three dollars per week: *Provided*, This requirement shall not apply to such exhibitions given in buildings for which an amusement license has been issued.

1104. § 7. No license shall be granted to sell or give away medicines or liniments of any kind upon the street; nor shall any license be granted to operate or conduct any wheel of fortune, gambling device, or game of chance, upon the streets, or elsewhere in the city.

1105. § 8. All licenses issued by the city for any purpose for one year, shall, unless otherwise provided by ordinance, expire on the third Tuesday in April following their date, and a proportionate part of the annual license fee shall be charged for the portion of the year in which taken out: *Provided*, That no annual license shall be issued for less than one-half the yearly fee.

1106. § 9. The City Clerk shall not issue any license until the party applying therefor shall have paid into the city treasury the sum of money charged therefor by ordinance.

1107. § 10. The City Treasurer shall, upon the payment to him of the charge for any license, give a receipt, stating the amount paid, the nature of the license desired, for what time, and to whom to be issued. The receipt shall be delivered to the City Clerk, who shall at once issue to the proper party the license desired.

1108. § 11. All licenses shall be signed by the Mayor and countersigned by the City Clerk, and shall be invalid for all purposes until so signed and countersigned.

1109. § 12. The City Clerk shall keep a register of all licenses, showing their nature, date, expiration, and to whom issued.

1110. § 13. A license may be issued to any corporation, association, or partnership, or to two or more persons engaged in any joint enterprise, the same as to a single person, and for the same charge.

1111. § 14. Licenses in favor of employers shall protect the employes of the person, partnership, or corporation, including officers of corporations, engaged by the licensee or licensees in conducting or carrying on the business, trade, or vocation licensed.

1112. § 15. This ordinance shall not apply to retail venders of vegetables, eggs, butter, and farm produce, raised by such venders from their own farm or garden, or the farm or garden of their employer, or of any article manufactured within the limits of the city, or within three miles thereof, in the manufacture of which labor performed within said territory constitutes one-half or more of the value, but this shall not be held to apply to any medicinal or other compound.

1113. § 16. Any person who shall violate any of the provisions of this ordinance shall, upon conviction, be fined in any sum not more than one hundred dollars.

§ 17. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 18. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE for suppression of vice, immorality, and unseemly conduct within the city of Lincoln, and to promote the peace, good order, and general welfare thereof, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XLVI.

Misdemeanors, Miscellaneous Practices.

1114. § 1. It shall be unlawful for any person or persons within the limits of the city of Lincoln, to indulge or engage in any loud, boisterous hallooing, or to make any loud or unusual noise, or to quarrel, curse, swear, or use obscene or indecent language.

1115. § 2. It shall be unlawful for any person or persons within the limits of said city to indulge or engage in any riotous, tumultuous, or disorderly conduct, or to fight by agreement or otherwise, or to assault another person in a menacing or threatening manner, or to do or engage in any other disorderly act or conduct tending to disturb the peace and quiet of said city.

1116. § 3. It shall be unlawful for any person or persons

within the limits of said city to disturb the peace and quiet of any person, family, or neighborhood, or any public assembly, or assembly of persons for religious worship, by any loud or unusual noise, boisterous laughing or talking, bellowing, quarreling, swearing, obscene or indecent language, or by any other means or device whatever.

1117. § 4. It shall be unlawful for two or more persons to assemble together within the limits of said city upon any sidewalk or street thereof, in front of or adjacent to any store, shop, saloon, or other place of business, so as to obstruct the public right-of-way along said street or sidewalk or entrance to said place of business, or so as to obstruct or injure the carrying on of any lawful business in any of the places aforesaid, by loud or unusual noises, loud talking, cursing, swearing, obscene or indecent language, or by any other means or device whatever.

1118. § 5. It shall be unlawful for any person or persons within said city to advertise in any manner or collect together by any means at any place, any persons for the purpose of making or giving any exhibition of boxing, with or without gloves, or any boxing or fighting match or matches of similar character, or to advertise or propose to hold or exhibit or collect persons together for the purpose of exhibiting or making any sparring or boxing match or matches, or prize fight or fights.

1119. § 7. It shall be unlawful for any persons other than the Chief of Police and duly appointed and acting policemen, to wear or display any policeman's star or other badge tending to designate the wearer as being a policeman, within the corporate limits of the city of Lincoln.

1120. § 8. It shall be unlawful for any person or persons within the limits of said city to wear the dress or appear in any public place in the dress or garb of the opposite sex, or to assume the dress of the opposite sex in and upon the streets, alleys, or other public places, in said city.

1121. § 9. It shall be unlawful for any person or persons within the limits of said city to make an indecent exposure of his or her person, or to commit any indecent or lewd act, or to

sell or offer for sale, or dispose of in any manner, any obscene, lewd, or indecent book, picture, or other publication or thing; or to exhibit or perform any indecent, immoral, lewd, or obscene play.

1122. § 10. It shall be unlawful for any person or persons within the limits of said city to set dogs or other animals to fighting, by agreement or otherwise, or in any manner to urge forward or encourage the same.

1123. § 11. It shall be unlawful for any person or persons within the limits of said city, to erect or maintain any building or structure in such a manner as to be unsafe, injurious, or annoying to the public; or to allow any sidewalk, curbstone, gutter, awning, or awning post, to be placed or remain in a dangerous condition; or to place or suffer to remain on any sidewalk or street, any obstruction injurious to the public use of the same.

1124. § 12. It shall be unlawful for any person or persons within the limits of the city of Lincoln to purposely, willfully, or maliciously, injure in any manner, or destroy, any real or personal property of any description belonging to another person, or in charge of another as agent or factor.

1125. § 13. It shall be unlawful for any person within said city to get or become drunk, and any person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be subject to the penalty hereinafter provided.

1126. § 14. It shall be unlawful for any person within said city to willfully, maliciously, or negligently, place or throw, or cause to be placed or thrown, upon the premises of another, any filth, refuse matter, or other thing, to the annoyance of the owner or occupant thereof, and every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty hereinafter provided.

1127. § 15. It shall be unlawful for any person or persons within the limits of said city to hitch, tie, or fasten, or otherwise leave any animal or animals, where it or they may do damage to any shade, fruit, or ornamental tree, along any street, alley, or avenue, or upon any lot or lots abutting thereon in said city.

1128. § 16. It shall be unlawful for any owner of any lot or parcel of ground in this city to allow or permit weeds to grow, or remain when grown, on such lot, block, or parcel of ground, but all weeds growing on any lot, block, or parcel of ground, shall be cut close to the ground, and so kept.

1129. § 17. That it shall be unlawful for any licensed peddler, hawker, auctioneer, or other person or persons, within the corporate limits of the city of Lincoln, to cause any street, sidewalk, or crosswalk, within said city, to become obstructed so as to prevent or obstruct the free use of the same by the public, by enticing or gathering a crowd of persons thereon.

1130. § 18. It shall be unlawful for any person to have in his possession any nippers of the description known as burglars' nippers, pick-lock, skeleton key, key to be used with a bit or bits, jimmy, or other burglar's instrument or tool of whatsoever kind or description, unless it be shown that such possession is innocent, or for a lawful purpose.

1131. § 19. It shall be unlawful for any person to wantonly mar, injure, deface, or destroy, any fence, guide-post, sign-board, or awning, in any street or public place in the city.

1132. § 20. It shall be unlawful for any person to stop or obstruct the passage of the water of any street, gutter, or public sewer, culvert, water-pipe, or hydrant laid or placed by the city.

1133. § 21. No person shall throw, cast or put into, drop or leave in any street, alley, lane, public place or any uninclosed public grounds in the city of Lincoln, any stone, missiles, nails, ice, glass, iron or any other metal, or any hay, straw, paper, parings of fruit or vegetables, or any other article or thing, except ashes on unpaved streets or alleys.

1134. § 22. No person shall throw, cast, lay or place on any sidewalk in the city of Lincoln, the rind or peel of any orange, banana, apple or other fruit.

1135. § 23. It shall be unlawful for any person to cut, injure, mark, or deface, any public building belonging to the city, or any station-house, or engine-house, or any tree, grass, or

shrub, or walk in any square, or public park, or any sewer, water-pipe, or hydrant, laid or placed by the city.

1136. § 24. It shall be unlawful for any person to paste, post, paint, print, or nail, any hand-bill, sign, poster, advertisement, or notice of any kind, on any curb-stone, flag stone, or any other portion or part of any sidewalk, or upon any tree, lamp-post, hitching-post, telegraph pole, hydrant, or upon any private wall, door, or gate, or fence, without the consent in writing of the owner of such wall, door, gate, or fence.

1137. § 25. No person shall obstruct or encumber any street corner, or other public place of the city, by lounging in or about the same; and after being requested to move on by any police officer, and refusing, the person so offending shall be deemed guilty of a misdemeanor, and punished as hereinafter provided.

1138. § 26. That it shall be unlawful for any person or persons to break, tear up, remove, or destroy, any stone or stake marking any street, lot, block, or public ground, or any other public monument of any kind within the limits of the city of Lincoln, except by state or city authority, and any person so offending shall, on conviction thereof, be subject to the penalty hereinafter provided.

1139. § 27. It shall be unlawful for any person or persons within the limits of said city, to tear up, break, remove, or destroy, or in any manner to injure, any of the curb-stones, or gutters, along any street or public thoroughfare in said city, or to tear up, injure, or destroy, any bridge, building, tools, implements, or other city property.

1140. § 28. All idle persons, who, not having visible means of support, live without lawful employment; all persons habitually idly loitering about, or wandering abroad, and visiting or staying about drinking saloons, houses of bad repute, gambling houses, or railroad depots, or lodging in out-houses, market-places, sheds, barns, or in the open air, and not giving a good account of themselves; all persons wandering abroad and begging, or who go about from door to door, or place themselves in the streets, or other public places, to beg or receive alms, shall

be deemed vagrants, and, upon conviction, fined in any sum not more than fifty dollars or imprisoned in the city jail not to exceed three months. [*Vide* 1072.]

1141. § 29. It shall be unlawful for any person to sell, offer for sale, or give away, or to hawk, or cry for sale, upon any street or other public place in this city, any medicine, liniment, drug, salve, or any other substance, compound, or liquid, possessing, or pretended to possess, curative powers, or to be a specific or cure for any disease or ailment of the human body. And it shall be unlawful for any person to maintain or operate for hire, gain, or reward, at any place within this city, any game of chance, or mixed game of chance or skill, or to so maintain and operate any wheel of fortune, photograph-rack, or lottery of any kind, cane-rack, knife-board, baby and ball rack, or any other thing of a similar nature.

1142. § 30. It shall be unlawful for any person to indecently exhibit any stud horse or bull, or let any such horse to any mare or mares, or any bull to any cow or cows, within the limits of this city, unless in some inclosed place out of public view.

1143. § 31. It shall be unlawful for any person to inhumanly, unnecessarily, or cruelly beat, injure, or otherwise abuse any dumb animal, or overload any team; or expose any calves or sheep upon the streets or sidewalk with their legs tied.

1144. § 32. Any person who is diseased, maimed, mutilated, or in any way deformed so as to be an unsightly or disgusting object, or an improper person to be allowed in or on the streets, highways, thoroughfares, or public places in this city, shall not therein or thereon expose himself or herself to public view under the penalty of a fine of one dollar for each offense. On conviction of any person for a violation of this section, if it shall seem proper and just, the fine provided for may be suspended, and such person detained at the police station, where he shall be well cared for until he can be sent to the county poor farm.

1145. § 33. It shall be unlawful for any person or persons, in the city of Lincoln, to sell, give, or furnish, any cigarette, or

cigarettes, or tobacco in any of its forms to any minor under fifteen years of age.

1146. § 34. It shall be unlawful for any person within the limits of the city of Lincoln to keep or maintain, or become an inmate of or frequent, or in any way contribute to the support and maintenance of any opium joint, or place, house, or room, where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes thereof.

1147. § 35. It shall be unlawful for any person to permit any bear, wolf, or other noxious or dangerous animal, to run at large, or to lead any such animal with a chain or rope or other appliances, whether such animal be muzzled or unmuzzled, in any street, avenue, lane, highway, or public place, within the limits of this city.

1148. § 36. It shall be unlawful for any person to erect any booth, or establish or fix any stand for the sale of fruit, books, or other merchandise, or any article or thing of value whatever, incumbering any part or portion of the streets or sidewalks: *Provided*, That the mayor may grant permits for such purpose whenever the application for such permits shall be accompanied by the consent in writing of each and every person occupying the premises in front of which it is proposed to locate under such permission.

1149. § 37. It shall be unlawful for any person or persons to drive sleighs, cutters, or similar vehicles, in the streets of this city without having bells attached to either horse or vehicle.

1150. § 38. It shall be unlawful for any person or persons to receive, buy, or conceal, any goods, chattels, or property of any kind whatsoever, that shall have been stolen or taken by any robber, knowing the same to have been stolen, and with the intent to defraud or conceal the same from the owner or owners thereof.

1151. § 39. Any person or persons violating any of the provisions of this ordinance, for which a penalty is not otherwise provided, shall, on conviction thereof, be fined in any sum not exceeding one hundred dollars.

§ 40. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 41. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to provide for the filling and draining of lots and pieces of ground within the city of Lincoln, and to prevent the collection of stagnant water and other nuisances upon the same, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE XLVII.

Nuisances.

1152. § 1. It shall be the duty of the owners of lots or parts of lots or pieces and parcels of ground within the city of Lincoln to drain or fill such lots whenever any stagnant water or other nuisance accumulates upon the same.

1153. § 2. It shall be the duty of the owners of such lots or pieces of ground to drain or fill or otherwise dispose of any of the stagnant water or other nuisance which shall accumulate upon such lots within ten (10) days from the time that they are notified to drain or fill such lots or pieces of ground by resolution passed by the Council of the city of Lincoln, Nebraska, and served upon the owners of such lots or pieces of ground.

1154. § 3. In case that such owners of such lots or parts of lots or pieces of ground within said city shall for the period of ten (10) days after such notice has been served upon them, as herein provided, fail to drain or fill such lots or parts of lots or pieces of ground so as to remove the stagnant water or any other nuisance from the same, it shall be lawful for the Street Commissioner of said city to drain or fill such lots or parts of lots or pieces of ground so as to remove all stagnant water or any other nuisance that may have collected upon the same, upon being authorized so to do by a resolution of the Council.

1155. § 4. The resolution authorizing the Street Commissioner to so drain or fill such lots or parts of lots or pieces of

ground shall designate and describe the lots to be drained or filled and the kind and quality and the estimated amount of work to be done upon said lots or parts of lots or pieces of ground so as to properly drain or fill the same.

1156. § 5. It shall be the duty of the Street Commissioner, within ten (10) days after the passage of the resolution authorizing and empowering him to drain and fill such lots or parts of lots and pieces of ground, to properly drain and fill the same as provided for in the resolution directing such improvements to be made upon such lots.

1157. § 6. The cost of draining or filling such lots or parts of lots or pieces of ground when done by the city shall be assessed against the respective lots and pieces of ground, and shall be a special assessment and create a sinking fund for the purpose of paying for the draining and filling of such lots or parts of lots or pieces of ground and shall be collected as other taxes.

1158. § 7. The costs of such improvements shall be levied and assessed by the Council at one of its regular sessions after giving ten (10) days' notice by one publication in a newspaper published and of general circulation in the city of Lincoln, Neb., of such contemplated levy and assessment, and such taxes or assessment so levied and assessed for the purposes aforesaid shall become delinquent within fifty (50) days from the date of their assessment and thereafter shall bear interest at the same rate per cent per annum as other delinquent taxes and shall be a lien upon the property improved.

1159. § 8. Notice as herein provided for shall be served by the Street Commissioner or his assistant upon the property holders by leaving a correct copy of such notice at the usual place of residence of the owners of such lots or by delivering such a copy to them personally; and in case the owners of such lots are non-residents of Lancaster county, or non-residents of Lancaster county and the state of Nebraska, then such notice shall be served upon the agents of such owners, and if there be no agents, then by publishing the same one time in a newspaper published in and of general circulation in Lincoln, Lancaster county, Ne-

braska, and such Street Commissioner shall make return, under oath, of his doings under this ordinance to the Council.

§ 9. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to prescribe limits within which oil shall not be kept in greater quantities than five barrels in the city of Lincoln, prohibiting the keeping or storing of oil in greater quantities than five barrels within said limits, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XLVIII.

Oils.

1160. § 1. It shall be unlawful for any person or persons, whether as principal, clerk, servant, agent, business manager, custodian, or otherwise, to have on hand, to store in, or keep at, any room, building, house, yard, car or cars, depot, or place within the corporate limits of the city of Lincoln, any greater quantity than five barrels of illuminating oils or oil of any name, character or description, whether known as benzine, benzole, rock oil, burning fluid, naphtha, gasoline, petroleum oil, or any of the refinements, compounds, or products, of petroleum in any of its forms, by whatever name such oil or oils may be called or known: *Provided*, That this article shall not be construed to prevent the keeping and storage of any such oils on the west side of Fourth street in said city.

1161. § 2. Whoever shall be convicted of a violation of this section shall be fined in any sum not less than twenty dollars nor more than one hundred dollars, and the costs of prosecution, and stand committed to the jail of said city until such fine and costs are paid.

1162. § 3. Whoever, whether as principal, clerk, servant, agent, business manager, custodian, or otherwise, shall continue to keep on hand, store in, or keep at, any room, building, house,

yard, depot, or place, within the corporate limits of the city of Lincoln, where prohibited by the first section of this ordinance, any greater quantity than five barrels of the oil or oils of the kinds named or described in the first section hereof, after having been convicted of a violation of section one of this ordinance, shall be fined in the sum of twenty-five dollars and costs of prosecution, and shall stand committed until such fine and costs are paid, for each and every day he shall so continue to have on hand, store, or keep at such place, or within the limits aforesaid, a greater quantity of such illuminating oil or oils than five barrels.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*.

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the passage and publication of the ordinances of the city of Lincoln, fixing the duties of the City Clerk and other officials in connection therewith, directing manner of prosecution when more than one ordinance has been violated, providing and declaring the effect of repeals, declaring rules of construction of ordinances and terms and phrases thereof, prescribing penalties and fixing punishment for violation of ordinances in which no fine or penalty is declared, providing for disposition of revisions and publication of the ordinances, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE XLIX.

Ordinances.

1163. § 1. All ordinances passed by the City Council shall be recorded by the Clerk in a proper book or books with indexes. The originals shall be filed in the Clerk's office, and due proof of the publication of all ordinances requiring publication by the affidavit of the printer or publisher, shall be procured by the Clerk and attached thereto, or written and attested upon the face of the record of such ordinance.

1164. § 2. In all cases where the same offense may be made punishable or shall be created by different clauses or sections of the ordinances of the city, the prosecuting officer may elect under

which to proceed; but not more than one prosecution shall be had against the same person for the same offense.

1165. § 3. When any ordinance repealing a former ordinance, clause, or provision, shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause, or provision, unless it shall be therein so expressly provided.

1166. § 4. Whenever any words in any ordinance importing the plural number shall be used in describing or referring to any matters, parties, or persons, any single matter, party, or person, shall be deemed to be included, although distributive words may not be used. And when any subject-matter, party, or person, shall be referred to in any ordinance by words importing the singular number only, or the masculine gender, several matters, parties, or persons, and females as well as males, and bodies corporate, shall be deemed to be included: *Provided*, That these rules of construction shall not be applied to any ordinance which shall contain any express provision excluding such construction, or where the subject-matter or context of such ordinance may be repugnant thereto.

1167. § 5. Whenever in any ordinance the doing of any act or the omission to do any act or duty is declared to be a breach thereof, and there shall be no fine or penalty declared for such breach, any person who shall be convicted of any such breach shall be fined in any sum not exceeding one hundred dollars.

1168. § 6. All printed books containing the revised ordinances shall be deposited with the City Clerk. He shall deliver one copy thereof to each officer of the city, and to such other persons as the City Council may direct.

1169. § 7. The Mayor shall have power to extend to or reciprocate courtesies of other cities, by presenting to them a copy of the revised ordinances bound at the expense of the city in such manner as to him may seem suitable.

§ 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 9. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to regulate and license pawnbrokers and second-hand dealers in the city of Lincoln, fixing the amount of license and tax, prohibiting the operation of the pawnbroking business save under certain conditions, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE L.

Pawnbrokers.

1170. § 1. That all persons within the city who loan money on the deposit or pledge of any personal property, or who deal in the purchasing of personal property on condition of selling the same back again at a stipulated price, shall be deemed pawnbrokers within the meaning of this ordinance.

1171. § 2. It shall be unlawful for any person or persons within the city of Lincoln to carry on the business of a pawnbroker without having first obtained a license so to do, as hereinafter provided.

1172. § 3. Any person desiring to conduct the business of a pawnbroker within said city, shall first execute and file with the City Clerk a bond to the city of Lincoln in the sum of five hundred dollars, with one or more sureties, to be approved by the Mayor, conditioned for the faithful observance of all ordinances and regulations of the said city relating to pawnbrokers, and the honest and faithful conduct of said business, which bond shall be for the benefit of any person injured or damaged by the fraud or willful misconduct of said business.

1173. § 4. Applicants for a license to conduct said business within said city, shall also first pay to the Treasurer of said city the sum of thirty-five dollars for an annual license, or twenty dollars for a semi-annual license, and shall file the Treasurer's receipt for the same with the City Clerk, and thereupon if the provisions of section 3 hereof have been complied with, said Clerk shall issue a license to conduct said business to the applicant for the desired time, which license shall be signed by the Mayor and said Clerk, and be attested by the seal of said city.

1174. § 5. All persons who shall be engaged in the business

of pawnbrokers or second-hand dealers shall keep a book in which shall be legibly written in ink, at the time of any loan or purchase, an accurate account or description in the English language of the goods, articles, or things pawned, pledged, or purchased, the amount of money loaned or paid therefor, the time the same was received, and the name, residence, and description of the person pawning, pledging, or selling the same; which book as well as the articles pawned or purchased shall at all reasonable times be open to the inspection of the Chief of Police or any member of the police force.

1175. § 6. It shall be the duty of every such pawnbroker or second-hand dealer to make out and deliver to the Chief of Police every day before the hour of 12 M. a legible and correct copy from the book required in the preceding section hereof of all personal property or other valuable things received, deposited, or purchased during the preceding day, together with the time when received or purchased and a description of the person or persons by whom left in pledge.

1176. § 7. No personal property received on pledge by any such pawnbroker shall be sold or permitted to be redeemed from the place of business of such person for the space of twenty-four hours after the copy and statement required to be delivered to the Chief of Police shall have been delivered as required by the preceding section.

1177. § 8. The time between twelve o'clock on Saturday night and twelve o'clock Sunday night shall not be considered in the enforcement of this ordinance, nor shall any property be received as a pledge or purchased by any dealer mentioned in this ordinance, between those hours.

1178. § 9. It shall be unlawful for any person licensed as aforesaid, to take or receive upon deposit, pawn, or pledge, any personal property of any kind from a minor or person under age, unless such person shall be doing business wholly on his own account, which fact shall be noted upon the book or record required by section 5 hereof; and it shall also be unlawful for any such licensed pawnbroker to knowingly receive on pawn or

deposit any personal property of any kind from any person not being the owner thereof, or from any intoxicated person.

1179. § 10. Every broker mentioned in this ordinance, who shall violate, neglect, or refuse, to comply with any of the provisions of this ordinance, shall, for every such offense, be subject to a fine of not less than five nor more than one hundred dollars, and his license may, at the option of the Mayor, be revoked.

§ 11. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 12. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE regulating plumbers and use of water and water works in the city of Lincoln, providing for licensing plumbers and fixing amount of license, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith,

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LI.

Plumbers.

1180. § 1. It shall be unlawful for any plumber or plumbers or pipe fitters, or any other person, to do any work upon any of the pipes or appurtenances of the system of water works of the city of Lincoln, or to make any connections with or extensions of the supply of pipes of any consumer taking water from said city, until such plumber or plumbers or pipe fitters or person, shall have first procured a license so to do as hereinafter provided.

1181. § 2. That any plumber or plumbers or pipe fitters, or other person desiring to do any work on any of the pipes or appurtenances thereto, or to make any connections therewith, or extension of the supply pipes of any consumer taking water from the system of water works of the city of Lincoln, shall make an application in writing to the Council of said city for license so to do. Said application shall set forth the full name under which the business is to be transacted, and thereupon the Council may at its option direct a license to be issued by the Clerk

of said city, signed by the Mayor and Clerk, and attested by the seal of said city, providing the applicant shall have complied with the provisions of the next section hereof.

1182. § 3. Before any such license shall be issued, the applicant shall execute and file with the Clerk of said city a bond running to said city in the sum of one thousand five hundred dollars, signed by one or more sufficient sureties to be approved by the Mayor, conditioned that the applicant shall indemnify and hold harmless the said city of Lincoln of and from all damages caused by any negligence arising from a failure to protect his work, or by any unskillful or inadequate work done on said pipes or appurtenances thereto, including connections and extensions of supply pipes, and that he will be governed by the rules and regulations herein provided, or that may hereafter be prescribed or adopted by said city in reference to plumbing, and shall pay all fines imposed upon him for any violations thereof, and that he will replace and restore the roadway and sidewalks over any opening he may make on an unpaved street, to lay service pipe, or for other purposes, to as good state and condition as he found it, and keep and maintain the same in good order, to the satisfaction of the Water Commissioner, for the period of six months next thereafter, and shall also pay to the City Treasurer the sum of five dollars license fee, and file the Treasurer's receipt therefor with said Clerk: *Provided*, That said license shall continue in force for the period of one year from its date.

1183. § 4. Any person licensed as aforesaid who shall be guilty of a violation of any of the provisions of this ordinance or any rules herein prescribed, or that may be hereafter adopted by the Mayor and Council, or shall interfere with an inspection of his work, shall immediately forfeit his license, which said forfeiture shall operate as the forfeiture of the license of any and all persons associated with him in business, whether as a partner or otherwise, and upon conviction thereof shall pay a fine of not less than one dollar nor more than one hundred dollars, which fines shall be imposed upon conviction before the Police Judge, and said conviction shall cause forfeiture of license.

1184. § 5. Any person licensed as aforesaid desirous of introducing water from the works into the house or other place, shall first procure a permit from the Water Commissioner, for each and every opening required. All applications for permits must be made in writing, upon blank forms furnished by the Water Commissioner, and signed by the owner or his agent. The application must be made for at least one day before the excavation is ready, but not until all plumbing work on the premises is completed and the building ready for a tenant. Such application must state the size of the tap required, the size and kind of service pipe to be used, the street and the side of the street, if on a corner which street main is to be tapped, the full name of the owner, number of the property, the purpose for which the water is to be used, the time when the tap is to be driven, together with a diagram of the property to be supplied, showing the streets bounding the block on which it is situated, and all other particulars pertaining to a full understanding of the subject. The tap to be used shall be furnished by the Water Commissioner, the cost thereof, together with that of the making of the tap, to be paid for by the applicant to the Water Commissioner, at the time of taking out the permit for the attachment. No taps shall be driven until the permit shall be taken out. No tap for service connections shall be made on any hydrant or elevator connection. No person except the tapper employed by the Water Commissioner shall under any circumstances tap the distributing pipe or insert ferrules.

1185. § 6. All service pipes on any street or alley in the city of Lincoln shall be extra strong lead pipe to and inside the curb line. The pipe shall be laid five feet below the established grade, and sufficiently waving to allow of an extra length of not less than one foot and in such manner as to prevent rupture by settlement. All joints of lead pipe to be what are known as plumbers' joints. In no case will cup-joints or bolts jointed be allowed.

All lead pipes shall be of the class known as "extra strong," and shall weigh per lineal foot for various diameters as follows:

<i>Size Tap.</i>	<i>Diam. Pipe.</i>	<i>Wt. per foot.</i>
$\frac{3}{8}$ inch.....	$\frac{1}{2}$ inch.....	2 lbs. 7 oz.
$\frac{1}{2}$ inch.....	$\frac{5}{8}$ inch.....	3 lbs.
$\frac{5}{8}$ inch.....	$\frac{3}{4}$ inch.....	3 lbs. 10 oz.
$\frac{3}{4}$ inch.....	1 inch.....	4 lbs. 12 oz.
1 inch.....	$1\frac{1}{4}$ inch.....	6 lbs.

Nor shall any pipe be laid between the main and the curb larger than such sizes as are used respectively in connection with corporation cocks. The service pipe used for interior plumbing may be of the kind known as strong lead pipe, but no pipe of lighter weight than this shall be used under any circumstances. The weight of this class of pipe is to be as follows:

<i>Diam. Pipe.</i>	<i>Wt. Per Lin. Ft.</i>
$\frac{5}{8}$ inch	2 lbs. 8 oz.
$\frac{3}{4}$ inch	3 lbs.
1 inch	4 lbs.
$1\frac{1}{4}$ inch	4 lbs. 8 oz.

1186. § 7. There shall be a round-way stop-cock in every service line attached to the mains after June 1st, 1889, the same to be placed in streets in the sidewalk, within a foot of the curb if practicable, and in alleys within one foot of the side of the same. Where stop-cocks cannot be placed in the sidewalk on account of vaults or other obstructions, they shall be placed in the street clear of the gutter, four feet below the surface. They shall be closed in a substantial extension iron case, and covered with a tight-fitting iron lid with the word "water" or "city water" cast upon it. There shall be one or more stop and waste-cocks attached to every supply pipe at the point where the pipe enters the building and also at the foot of every riser in the cellar, so as to admit of water being shut off in frosty weather, and the pipes being emptied. No plumber shall lay any service pipe in any building in such manner as to "trap" water when the check and waste-cock is closed.

1187. § 8. Streets must be opened in the manner which will occasion the least inconvenience to the public, and admit the uninterrupted passage of water along the gutters. No excavations

in any public place shall be left open longer than twenty-four hours, and every precaution shall be taken to insure public safety by fencing and red lights at night. In refilling the trench all the earth shall be put back and thoroughly tamped or settled with water in such manner as to leave no ridge over the trench, and the street restored to as good condition as previous to making the excavation, and all stones and rubbish must be removed immediately after completing the work. Should an excavation in any unpaved street, alley, or highway, be left open or unfinished for the space of twenty-four hours, or should the work be improperly done, or the rubbish not removed, the Water Commissioner shall have the right to finish or correct the work, and the expense incurred shall be charged to the plumber whose work is thus finished or corrected, and said expense shall be paid by said plumber previous to his receiving another permit. Before any excavation is made in any paved street, the person licensed as aforesaid shall obtain an estimate from the City Engineer of the cost of refilling such excavation and of replacing the pavement to its original condition, and shall cause to be deposited the amount of said estimate with the City Engineer, who shall deliver to him a certificate of such payment, which certificate shall be presented to the Water Commissioner, who may thereupon issue a permit to make such excavation. All such excavations in paved streets shall be refilled and pavement restored by the City Engineer, and the person licensed as aforesaid shall be exempted from further liability for such excavation. No person licensed as aforesaid, or any other person, shall be permitted to tunnel from behind the curb-stone under any paving to reach the water main for tapping or for any other purpose.

1188. § 9. Stop-cocks and other appurtenances must be sufficiently strong to resist the pressure and run of the water. All plumbing shall be skillfully done, and in a manner required by the Water Commissioner, and shall be subject to his inspection and approval; the quality and pattern of all appurtenances shall in like manner be subject to his approval, and no work shall be covered until examined by him or the inspector.

1189. § 10. When an attachment is made to supply water for building purposes, the service pipe shall be carried to the inside of the curb-stone, where a proper stop-cock shall be placed, which shall be kept covered and locked when not in use. When the building is completed the service pipe may be extended for the supply of the buildings, in which case application must be made in the usual manner for an attachment. Only one house shall be supplied from one tap unless by special permission from the Water Commissioner. Where more than one house is supplied from the same tap, there must be a separate stop-cock and box supplied for each house.

1190. § 11. All faucets and fixtures over kitchen or other sinks, wash bowls, urinals, and water closets, placed after June 1, 1889, shall be of some pattern of self-closing work approved by the Water Commissioner.

1191. § 12. Within forty-eight hours after the completion of any plumbing work, the plumber shall make to the Water Commissioner full returns, stating the ordinary and special uses to which the water is to be applied, giving a description of the apparatus and arrangement used, and all other particulars the case may call for, and shall state the distance in feet and inches and direction from the nearest corner to where tap is made, and distance from street line where stop cock is located, so they may be located on diagram of taps and cocks. For any misrepresentation or omission in these returns the plumber shall be liable to forfeiture of license.

1192. § 13. The price to be charged for making an attachment and furnishing corporation cocks to the water work shall be for—

$\frac{3}{8}$ -inch.....	\$2.00.	$\frac{1}{2}$ -inch.....	\$2.75.	$\frac{5}{8}$ -inch.....	\$3.25.
$\frac{3}{4}$ -inch.....	4.00.	$\frac{7}{8}$ -inch.....	4.50.	1-inch.....	5.00.

1193. § 14. Before any permit is granted by the Water Commissioner for making an attachment larger than one inch, the application shall be examined by him, and he shall mark thereon his approval or his objections to the granting of the permit, and refer the same to the Council. No tap larger than a five-eighth-

inch shall be permitted for any single dwelling house, or larger than three-fourth-inch for any double dwelling house.

1194. § 15. The boring of the pipes and the insertion of the taps shall be done under the direction of the Water Commissioner, who shall be given at least six hours' notice by the plumber. The main pipe must be tapped on the top, and in no case nearer than eighteen inches of either end of the pipe, and the excavation made and dirt cleaned from around the main for that purpose. No pipe shall be tapped on the hub or bell, nor nearer than four feet to any other tap in the same section of pipe.

1195. § 16. Whenever any repairs shall be done upon any attachment requiring any opening in the ground, and it shall be found that the attachment is not of the depth hereinbefore provided, it shall be altered by the plumber doing the work to conform to the established regulations.

1196. § 17. No plumber shall put in any extension or attachments or appliances for the use of water in any premises within the city without first obtaining a permit therefor; and within forty-eight hours after making any new attachment or appliance for the use of water in any premises, shall report in writing to the Water Commissioner as in case of new attachments to mains.

Plumbers are not allowed to turn the water off or on to any service pipes, except to make repairs and test their work, after which they will leave it off or on, as they found it.

§ 18. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 19. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to prevent animals from running at large in the city of Lincoln, providing for impounding the same, creating the office of poundmaster and defining the duties of said officer and of the City Clerk, providing for the sale of impounded animals, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LII.

Pound.

1197. § 1. That horses, mules, cattle, sheep, or swine, shall not be permitted to run at large within the city of Lincoln, Nebraska, nor to be staked out or tethered within the streets of said city nor upon property abutting upon said streets in such a manner as to allow said animals to reach to or pass into the streets of said city.

1198. § 2. That there shall be appointed by the Mayor and Council of the city of Lincoln, a poundmaster for the said city of Lincoln, who shall hold his office during the pleasure of said Mayor and Council, whose duty it shall be to provide a suitable place for impounding all horses, mules, cattle, sheep, and swine, found running at large within the corporate limits of the said city of Lincoln, or that may be staked out or tethered within the streets of the said city, or upon property abutting upon said streets in such manner as to allow said animals to reach to or pass into the streets of the said city; and that said poundmaster shall be required to enter into bonds to the city of Lincoln in the sum of three hundred dollars with one or more sureties, to be approved by the said Council, conditioned that he pay all damages that may be recovered against him for any misconduct in said office, and that he will faithfully perform the duties of poundmaster as required by the ordinances of said city; and said poundmaster is hereby authorized to impound all horses, mules, cattle, sheep, and swine, taken up while running at large within said city limits, or which may be found staked out or tethered within the streets of said city or upon property abutting upon said streets in such a manner as to allow animals to reach to or pass into the streets of said city, which shall be so found by said

poundmaster, or be delivered to him by any resident of said city, or of which he shall have been notified by any such resident as so running at large as aforesaid, or staked out or tethered as aforesaid, and no other, and to receive for his services the following fees, to-wit: For impounding each animal, the sum of fifty cents; for keeping each horse, mule, or head of cattle, the sum of twenty-five cents, and for each sheep or swine the sum of ten cents, for each and every day said animal shall remain in said pound after the first day.

1199. § 3. That it shall be lawful for every person who is a resident of the city of Lincoln to impound any horse, mule, cattle, sheep, or swine, found running at large within the corporate limits of said city, or that may be found staked out or tethered within the streets of said city or upon property abutting upon said streets in such a manner as to allow said animals to reach or pass into said streets of said city, in the public pound kept by the poundmaster of the city of Lincoln: *Provided*, That no person shall receive any fees for impounding any animal in said city, except the poundmaster: And *Provided further*, That the city shall in no case be liable to the poundmaster or City Clerk for fees under this ordinance.

1200. § 4. That it shall be the duty of the poundmaster to keep a record of all the animals impounded by him, which record shall show the date of impounding, the description of each animal, the name of the owner thereof, if known, and the name of the person delivering the same or giving the notice provided for in section 2; and in case said animals are not redeemed within two days after the impounding thereof, the said poundmaster shall furnish the City Clerk with a description of such animal or animals, and the date of the impounding of the same.

1201. § 5. That the City Clerk be and he is hereby authorized, upon the receipt of the description and date of the impounding, and name of the owner, if known, of any animal or animals in the public pound of said city, to serve personal notice on the owner thereof, if known, and then to sell such animal or animals at public vendue, in the day-time, by giving at least five days'

notice of the time and place of such sale, (by posting at least five notices thereof in as many conspicuous places in said city,) which said notice shall contain a description of said animal or animals, the date of impounding, and the name of the owner, if known, and out of the proceeds of said sale pay: First, the fees of the poundmaster; second, fifty cents to the said Clerk for each animal sold, and all the expenses incurred on such sale, and in posting or publishing said notices: *Provided*, Said animal or animals sell for a sum sufficient to pay such sums, and the balance, if any, remaining in the hands of the Clerk, to be paid to the City Treasurer of said city within five days after said sale, and to be placed by said Treasurer to the credit of the general fund of the city of Lincoln.

1202. § 6. That in case the owner or owners of any animal or animals so sold as aforesaid shall make satisfactory proof of their ownership thereof within six months after said sale, to the City Council, the said Council shall cause the said surplus to be paid over to said owner or owners.

1203. § 7. That the poundmaster and City Clerk shall each make a full report of all animals impounded in said city pound, or sold by said Clerk, to the City Council at their first regular meeting in each and every month, stating the number of animals impounded, the time kept in said pound, the name of the owner or owners, if known, the date of sale, and the amount of money received by each of such officers respectively.

1204. § 8. That any person who shall permit any horse, mule, cattle, sheep, or swine, owned by them or in their possession, to run at large within the corporate limits of the city of Lincoln, Nebraska, or shall permit any such animal to be staked out or tethered within the streets of said city, or upon property abutting upon said streets in such a manner as to allow said animals to reach to or pass into the streets of said city, shall, upon conviction thereof, be fined not less than one dollar nor more than five dollars, and costs, to be recovered before the Police Judge of said city, and stand committed until paid: *Provided*, That nothing herein contained shall be so construed as to prevent

any person from recovering any damage which he or she may sustain by reason of such animal or animals running at large, in a proper action therefor.

1205. § 9. That any person who shall take up and impound any animal or animals contrary to the provisions of this ordinance, shall, on conviction thereof, be fined in any sum not exceeding twenty-five dollars and costs of suit.

§ 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 11. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE to regulate the running of engines, cars, and trucks within the city of Lincoln, and to prescribe rules relating thereto and governing the speed thereof, and to prevent accidents at crossings, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LIII.

Railroads.

1206. § 1. That no train, engine, car, or truck, shall be run over any railroad within the corporate limits of the city of Lincoln at a greater rate of speed than four miles an hour.

1207. § 2. That there shall be a bell of at least thirty pounds' weight attached to every engine, which shall be continuously rung by the engineer or firemen in charge of the engine while passing over any railroad within the corporate limits of said city.

1208. § 3. That no street now opened for public use, in said city, shall be obstructed by any railroad company by leaving engines, cars, or trucks, standing thereon, or otherwise, excepting in case of inevitable accident, for a greater length of time than ten minutes for each necessary obstruction.

1210. § 5. That no running or flying switches shall be made across any street.

1211. § 6. It shall be the duty of any railroad company or

companies crossing any street or thoroughfare in the said city of Lincoln to keep and maintain an electric light or lights at such crossing or crossings, as shall be determined by the Mayor and Council from time to time, which light or lights shall be kept burning during the night time. It shall be the duty of such railroad company or companies, within twenty days after service of notice upon such railroad company or companies, through any of its officials, to place such electric light or lights as shall be designated by the Mayor and Council of the city of Lincoln at such crossing or crossings as said Mayor and Council shall determine, and upon failure to comply therewith, the said city shall have power to so place and maintain such light or lights over the crossing or crossings of said railroad company or companies, and the cost thereof shall be charged to such railroad company or companies.

1212. § 7. That the location of such electric light or lights over the crossing or crossings of said railroad company or companies shall be determined by resolution of said Council, and majority vote of said Council shall be required to pass the same.

1213. § 8. That whenever any streets of the city shall be crossed by two or more railroad companies, and where by the Council one light shall have been considered by said Council as sufficient, the cost thereof shall be assessed against such railroad companies jointly in such manner as shall be determined by the Council by resolution ordering the same.

1214. § 9. Any railroad company having a track or tracks crossing either Seventeenth street, Fourteenth street, Tenth street, or O street between Fourth and Fifth streets, in the city of Lincoln, is hereby required to keep stationed thereat a flag-man, whose duty it shall be at all times to indicate to travelers upon said streets, or either of them, the approach of passing trains, and to give notice when in safety they can cross the same.

1215. § 10. That any officer, superintendent, agent, engineer, conductor, fireman, servant, or employe, of any railroad company running or operating a railroad within the corporate limits of the city of Lincoln, who shall neglect or otherwise vio-

late any of the provisions of this ordinance shall, on conviction thereof, be fined in any sum not less than five nor more than one hundred dollars for each offense, and shall be committed to the jail of said city until such fine and costs of prosecution are paid.

§ 11. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 12. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

AN ORDINANCE to regulate and license resident merchants in the city of Lincoln, prohibiting them from doing business in certain ways unless licensed, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LIV.

Resident Merchants.

1216. § 1. That any person who shall keep and expose for sale any article of any kind in any building within the city of Lincoln, which is used as his or her usual place of business, and to which the general public have access during business hours, shall be deemed a resident merchant.

1217. § 2. That it shall be unlawful for any resident merchant to carry in any box, pack, hand-trunk, basket, or vehicle of any kind, from house to house, or from place to place, within the city of Lincoln, any articles of any kind, and sell or deliver, or offer to sell or deliver such articles unless the same have been first purchased from or ordered of such merchant at his or her usual place of business by or on behalf of the person to whom they are delivered, without first procuring a license for such purpose provided in this ordinance.

1218. § 3. That any resident merchant desiring to carry in any box, pack, hand-trunk, basket, or vehicle of any kind, from house to house or from place to place within the city of Lincoln, any articles of any kind, and sell or deliver, or offer to sell or

deliver, such articles, unless the same have been first purchased from or ordered of such merchant at his or her usual place of business by or on behalf of the persons to whom they are delivered, shall pay into the treasury the sum of fifty dollars per annum.

1219. § 4. This ordinance shall not apply to hawkers, peddlers, or non-resident merchants, or to retail venders of vegetables, eggs, butter, milk, and farm produce raised by such venders from their own farms or gardens, or the farm or garden of their employer. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, together with costs, and shall be imprisoned in the jail of said city until the same are paid.

§ 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 6. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to license and regulate scavengers in the city of Lincoln, prohibiting them from doing business until they have complied with the provisions of this ordinance, fixing the fees to be charged for certain services, prescribing penalties for the violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LV.

Scavengers.

1220. § 1. No person, company, or corporation, shall empty, clean or remove, the contents of privy vault, cess-pool, or sink, except his own, or in any manner engage in the business of vault cleaning without first having obtained a license so to do. Such license shall be issued by the City Clerk upon the recommendation of the Board of Health, and shall continue in force for one year from its date unless sooner revoked as herein provided. The applicant shall pay to the City Treasurer for such license the sum of fifteen dollars. Such license may be revoked by the Board of Health at any time upon the failure of such licensee to

fully observe the provisions of this ordinance relating to his said business. Such licensee shall also execute a bond to the city in the penal sum of \$500, with two or more sureties, conditioned that said licensee will comply with the provisions of this ordinance relating to his business, and will obey and comply with the regulations and directions of the Board of Health.

1221. § 2. The cleaning, emptying, and removing, of the contents of privy vaults, cess-pools, and sinks, shall be done in an inoffensive manner, and any scavenger having begun such scavenger work, shall, without interruption or delay, finish the same, and shall, in every instance, leave the vault, cess-pool, or sink, in as good condition as when the work was undertaken. When the contents of any privy vault shall be removed, the same shall be properly disinfected after the completion of the cleaning. This business shall be carried on with the most strict regard to cleanliness. The contents so removed shall be conveyed beyond the city limits in air-tight tanks, and shall be disposed of in such manner as to cause no offense, and as the health officer shall direct. All carts, tanks, and receptacles used for the purpose must be water tight, and the same must be thoroughly washed and disinfected immediately after being emptied.

1222. § 3. All persons licensed as scavengers in this city shall provide a suitable barn or inclosure for the proper storage of their tanks, carts, and tools, and in no case shall a tank or cart be permitted to stand upon the streets, alleys, or vacant lots of the city, except when actually employed and in use in the scavenger business.

1223. § 4. No privy vault, sink, or cess-pool shall be opened, nor the contents thereof disturbed or removed, between the hours of six o'clock A. M. and ten o'clock P. M. of any day, nor shall such contents be deposited or buried within the city except upon the special permission of the health officer, and in such manner and place as he shall direct.

1224. § 5. The health officer shall, at least once a month, cause every tank and cart that is used in the business of vault cleaning or removal of slops, to be carefully inspected, and if

any tank or cart be found in a leaking condition, or from any cause unfit to use, he shall notify the owner of the same, and such tank or cart shall not be used until placed in good condition. Every scavenger shall place in a conspicuous place upon each cart or tank, its number, the figures to be at least three inches in length, in white paint upon a black ground. The business of vault cleaning shall be carried on between the hours of ten o'clock P. M. and six o'clock A. M., and at no other time.

1225. § 6. Duly licensed scavengers shall be entitled to demand and receive the following fees :

For emptying and cleaning a vessel containing less than 45 gallons	\$0.50
For emptying and cleaning a vessel containing more than 45 and less than 100 gallons.....	1.00
Larger vessels at last above named rate.	
For removing dead animals, 500 lbs. or less in weight.....	1.50
For removing dead animals, over 500 lbs. in weight.....	2.50
For hauling garbage, per ton.....	.50
For cleaning grease traps.....	1.50
For cleaning cess-pool, per cubic yard.....	2.00
For cleaning vault, per cubic foot.....	.15

1226. § 7. Any scavenger who shall violate any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

§ 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 9. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE establishing and describing the corporate seal of the city of Lincoln.

Be it ordained by the Mayor and Council of the city of Lincoln :

ARTICLE LVI.

Seal.

1227. § 1. The seal heretofore provided and used by and for the city of Lincoln, (the impression on which is a profile bust representation of Abraham Lincoln, with the inscription: "In-

corporated March 18, 1871," in a half circle around the head of the figure, and the word "Seal" below; and with the inscription, "City of Lincoln, Lancaster County, Nebraska," around the outer edge of said seal; which seal, represented as aforesaid, is hereunto annexed,) shall be and is hereby established and declared to have been and now to be the seal of the city of Lincoln.



§ 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to license and regulate second-hand dealers in the city of Lincoln, prohibiting them from doing business before complying with provisions of this ordinance, prescribing penalties for violation of the provisions hereof, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LVII.

Second-hand Dealers.

1228. § 1. It shall be unlawful for any person or persons, within the city of Lincoln, to carry on or conduct the business of a dealer in second-hand furniture, household goods, or other articles, without having first obtained a license so to do, as herein-after provided.

1229. § 2. Any person desiring to conduct and carry on the business of a dealer in second-hand articles, shall first execute and file with the Clerk of the city of Lincoln a bond to the city of

Lincoln in the sum of five hundred dollars, with one or more sureties, to be approved by the Mayor, conditioned for the faithful observance of all ordinances and regulations of said city relating to second-hand dealers, and the honest and faithful conduct of said business, which bond shall be for the benefit of any person injured or damaged by the fraud or willful misconduct of said business.

1230. § 3. Applicants for license to conduct said business within said city, shall first pay to the Treasurer of said city the sum of twenty-five dollars for an annual license, and shall file the Treasurer's receipt for the same with the City Clerk, and thereupon, if the provisions of section 2 hereof have been complied with, said Clerk shall issue a license to conduct or carry on said business to the applicant, which license shall be signed by the Mayor and Clerk, and be attested by the seal of said city. Every such license shall designate the house and place in which the person receiving such license shall be authorized to carry on such business. It shall be unlawful for any person to carry on said business except in the place named in such license.

1231. § 4. All persons who shall be engaged in the business of pawnbrokers or second-hand dealers shall keep a book in which shall be legibly written in ink, at the time of any loan or purchase, an accurate account or description in the English language of the goods, articles, or things pawned, pledged, or purchased, the amount of money loaned or paid therefor, the time the same was received, and the name, residence, and the description of the person pawning, pledging, or selling the same; which book as well as the articles pawned or purchased shall at all reasonable times be open to the inspection of the Chief of Police or any member of the police force.

1232. § 5. It shall be the duty of every such pawnbroker or second-hand dealer to make out and deliver to the Chief of Police every day before the hour of 12 M. a legible and correct copy from the book required in the preceding section hereof of all personal property or other valuable things received, deposited, or purchased during the preceding day, together with the time when

received or purchased and a description of the person or persons by whom left in pledge.

1233. § 6. If any goods, article, or thing, shall be advertised in any daily newspaper printed in the city of Lincoln as having been lost or stolen, and if the said goods, article, or thing, or any such answering to the description of the goods, article, or thing so advertised, or any part or portion thereof, shall then be or thereafter come into possession of any dealer in second-hand articles, he or she shall forthwith give information thereof in writing, at the office of the Chief of Police, and shall state from whom the same were received. A failure to comply with the requirements of this ordinance shall be deemed sufficient cause for revoking the license of the person so refusing, and shall further render such person liable to the penalties provided for the violation of this ordinance.

1234. § 7. Any person who shall violate any of the provisions of this ordinance shall, for each offense, be fined in any sum not less than ten dollars nor more than one hundred dollars, and be committed until the said fine and costs are paid.

§ 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 9. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE LVIII.

Sewers and Drains.

1235. § 1. All connections of private drains or sewers with the public sewers of the city of Lincoln, or the construction or modification of appurtenances to sewers or sewer connections, shall be made in accordance with the rules and regulations approved by the City Council and embodied in this ordinance, and such further rules as may from time to time be adopted.

1236. § 2. No person, persons, or corporation, shall open, uncover, or in any manner make any connection with, or lay any sewer or drain, or attach or modify any appurtenances to sewer

connections to sewers within the public streets, alleys, or other grounds of the city of Lincoln, unless duly licensed therefor, or operating under a special contract with the city of Lincoln for such work.

1237. § 3. Any competent mechanic with experience in laying drain or sewer pipes, may upon application and approval of the City Council, and payment of ten dollars for the year or unexpired part thereof, ending in all cases on December 31st, receive a license to lay drain or sewer pipes, or modify any attachment, or make connection thereto: *Provided*, No application for license under this ordinance shall be considered unless accompanied by a bond in the sum of \$2,500, with two resident sureties, each owning real estate in Lancaster county of the value of \$2,500 above all exemptions and liabilities, and who shall justify accordingly. Said bond to be approved in form by the City Attorney to secure the city against damages that may arise by virtue of the carelessness or neglect of such person or corporation to properly execute their work, or for any violation of this or any other ordinance of the city, or for any penalties that may be imposed during the period of such license under the provisions of this ordinance.

1238. § 4. No excavation of trenches for sewer pipes, or work in connection with such pipes, attachments, appurtenances, or modifications thereof, shall be done by any licensed person or corporation without a special permit.

1239. § 5. All special permits for laying drain or sewer pipes, or any excavation relating to making connection with the public sewers, or plumbing in connection with the appurtenances to sewer connections, or any changes in connection with the said appurtenances or pipes, shall be issued by the City Engineer or duly authorized assistant.

1240. § 6. Application for permits to connect, construct, or modify, attachments to the public sewers or their appurtenances, shall be made in writing on blanks furnished by the city, such applications to show the exact location of the proposed connection, and the appurtenances thereto.

A record shall be kept by such plumber or drain layer, cover-

ing full details of such work, and a return shall be filed with the City Engineer on the first of each month of all such work completed during the previous month. All such work shall be done under and in compliance with the direction of the City Engineer, Inspector, or officer, as herein specified and in strict conformity to the rules and regulations hereto attached, or such additional rules or modifications thereof as may be hereafter adopted by the Mayor and City Council. Willful violation of the said rules or of the direction of the City Engineer, Inspector, or other officer assigned to the supervision of such work, shall be cause for suspension of the license of the offender, by the City Engineer, in addition to any penalties that may be imposed under this ordinance, and such suspension shall operate until restored by the City Council; nor shall any such suspension give the offending party a right to a return of any moneys paid for license.

1241. § 7. The licensed plumber or drain layer who connects with the public sewers shall be held responsible for any damage he may cause to the sewers or public streets. He shall restore the street to the satisfaction of the City Engineer and make good any settlement of the ground or pavement caused by excavations made by said plumber or drain layer under or by virtue of any permit issued under the provisions of this ordinance.

1242. § 8. Any person or persons who shall be found guilty of violating any of the provisions of this ordinance, or any of the regulations in connection therewith, or who shall fail or neglect to comply with any of such provisions, rules, or regulations, shall be considered guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than five dollars, nor more than fifty dollars for each offense, and twenty-five dollars for each day such person shall continue in violation thereof.

1243. § 9. The Mayor and City Council shall have power to appoint one or more inspectors to whom they may delegate any or all powers essential to the proper supervision and enforcement of the provisions of this ordinance.

1244. § 10. The following rules and regulations are hereby adopted and approved, to-wit:

RULE 1.

1245. All applications for permits to plumbers or drain layers shall be filed with the City Engineer twenty-four hours before their issuance, except in case of accident requiring more prompt attention.

RULE 2.

1246. Trenches in public streets or alleys shall be excavated so as to impede public travel as little as possible. The crossings of gutters and all other ways shall be left in such shape as to admit of the ready escape of water during storms. Planks shall always be provided where sidewalks or crossings are opened so as to facilitate easy crossing over trenches.

RULE 3.

1247. Red lights shall be kept around all unfinished work at night, and sufficient barricades against accidents shall be placed around excavations at all times.

RULE 4.

1248. Work in public streets must not be unnecessarily delayed, and when directed by the City Engineer, the number of workmen shall be increased to hasten the work to the extent the City Engineer may deem necessary for public interests.

RULE 5.

1249. Trenches in depths of six feet or over, and in all made or otherwise treacherous soil, or near large brick buildings, shall be properly braced, and the party excavating and his bondsmen shall be liable for all damages arising by reason of any neglect in this respect.

RULE 6.

1250. The refilling of all trenches, if in unpaved streets or alleys, shall be well and thoroughly done in uniform layers of not exceeding nine inches, and tamped with a tamper of not less

than forty pounds weight, or with puddled earth, as may be directed by the City Engineer, Inspector, or other agents of the city entrusted with the supervision of such work, so as to replace all excavated material, and leave the surface in as good condition as found before the commencement of the work.

RULE 7.

1251. The refilling of all trenches in paved streets shall be done by floating sand, except where otherwise directed by the City Engineer, and all paving material shall be renewed or replaced in as perfect and substantial condition as before excavating, and in the event of settling within six months after being refilled, the City Engineer shall have the right, and it shall be his duty, to demand and require the restoration by the party who made such excavation; and all surplus material in all cases of excavation shall be taken off the street and at once delivered to such points as the City Engineer may direct.

RULE 8.

1252. Drain layers or plumbers will be required to keep on hand a spirit level in proper order, where work is being done in connection with public sewers, and their returns must show the actual depths below the surface and fall per foot to which their pipes have been laid. No pipes shall be allowed to connect with public sewers with a less fall than one-fourth inch per foot.

RULE 9.

1253. Connections with the sewers of the separate system must be of first-class quality, of four-inch vitrified clay pipes, without reducers, laid to an uniform grade, with gasket joints in cement, and in good workmanlike manner; pipes laid from a point four feet outside of building walls into the building shall be of a good quality of cast iron soil pipe. No traps shall be allowed throughout the entire line, and the soil pipe must be continuous for ventilation purposes to a point not less than three feet above the roof of the building, such soil pipes to be coated

with an approved tar or asphaltic preparation. All connection with said pipes to be properly trapped with a water seal not less than half an inch in depth, such seal to be protected against syphonage by connection with the said pipe above the outer upper end of the trap. All joints shall be tightly and thoroughly caulked with lead, to admit of no escaping gas. Connections with other than the separate sewers shall be done according to the directions of the City Engineer.

RULE 10.

1254. All kitchen waste must be discharged through a suitable grease trap, of form approved by the City Engineer.

RULE 11.

1255. Connection for stable waste must be of a syphon form approved by the City Engineer.

RULE 12.

1256. Steam exhaust must be discharged into catch basins, and not direct into sewer pipes.

RULE 13.

1257. No junction pipe shall be cut or taken up for connection without a special permit, and then only in the presence of an inspector.

RULE 14.

1258. Changes of direction of pipes must be made by properly curved pipe, and not by edging or cutting. No storm-water connections to conduct water from roofs or yards, or overflow pipes from cisterns, will be permitted with the separate system of sewers.

RULE 15.

1259. Sewer pipe connections, both inside and outside of buildings, must be Ys and not Ts.

RULE 16.

1260. Accidents to sewers by caving, or in cleaning of private connections, must be promptly reported to the City Engineer's office. No Ys shall be uncovered for sewer connections without the presence of an inspector.

RULE 17.

1261. Entrance into manholes, or the opening of the same, except by the Inspector, is strictly prohibited.

RULE 18.

1262. Any defective or other work in connection with sewers, or appurtenances disapproved by the City Engineer, shall, upon written notice, be promptly remedied.

RULE 19.

1263. The City Engineer or Sewer Inspector shall have access at all times to any building connected with any sewer, to properly examine the same.

RULE 20.

1264. No one shall throw or deposit, or cause or permit to be thrown or deposited, in any vessel or receptacle connected with the public sewers, garbage, hair, ashes, fruit or vegetables, peelings, refuse, rags, sticks, cinders, or any other matter or thing whatever, except human excrement, urine, the necessary closet paper, liquid house slops, and elevator water.

1265. § 11. Any person or company obtaining a license, or doing work under this ordinance, shall keep posted in a conspicuous place in the office or shop of such person or company, a copy of the foregoing ordinance and rules, which will be furnished on application by the City Clerk.

[Passed January 10, 1887. Approved January 12, 1887. Published in *Journal* January 13, 1887.]

AN ORDINANCE providing for the erection of wire signs over and across the business streets of the city of Lincoln, Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LIX.

Signs.

1266. § 1. That hereafter any person so desiring may erect a wire sign over and across the business streets of the city of Lincoln: And *Provided further*, That said signs shall be made of wire and properly fastened by cable in a thoroughly secure manner at a height from the pavement of not less than thirty-five feet to under side of sign.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE setting apart portions of the streets for sidewalk space, regulating the use thereof, authorizing and directing the construction of sidewalks thereon, and assessing the costs thereof to the abutting property, prescribing penalties for violation of the provisions of this ordinance, and repealing all ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LX.

Sidewalks.

1267. § 1. That hereafter there shall be reserved on each side of every street in the city of Lincoln for sidewalks and for the cultivation of trees and grass, a space equal to one-fourth of the street from abutting lot lines: *Provided*, That on streets in paving districts said space shall extend from the lot line to the curb line.

1268. § 2. All walks on O street from Seventh to Sixteenth, N street from Ninth to Twelfth, P street from Seventh to Twelfth, Q street from Ninth to Twelfth, Ninth street from Q to O, Tenth street from Q to N, Eleventh street from Q to M, Twelfth street from Q to N, Thirteenth street from P to M, and

also in front of and alongside any building in any part of the city when areaways or cellars are in use, or may hereafter be in use, under any sidewalk, shall extend from the line of the abutting lot or lots to the curb line, and no sidewalk shall be built in the above territory except the same be constructed of stone, iron, brick, or artificial stone, or combinations of such materials, nor until after a permit has been obtained from the Street Commissioner, or other officer whom the Council may designate, for the building of the same. It shall be unlawful to repair any wooden sidewalks within the above territory, except such repairs as may be necessary to make the same safe until a new walk can be constructed under the provisions of this ordinance, but it shall be the duty of the officer having the same in charge to report to the City Council all sidewalks in said territory in need of repairs. Whereupon it shall be the duty of the City Council to cause the owner of the property abutting on such sidewalk to be notified to show cause why such sidewalk should not be condemned, and order the construction of such sidewalk as above provided, and the Council shall then direct the kind of material to be used, but this shall not prevent the lot owner from constructing said walk with such material as is herein authorized. Should the owner fail or refuse to construct such walk in accordance with the order of the Council and of this ordinance, within thirty days after such order is made, it shall be the duty of the officer in charge to construct such walk in accordance with the order of the Council. The inner edge of all other sidewalks shall be four feet, neither more nor less, from the line of the adjacent lot: *Provided*, The Council may, by resolution, upon petition of the property owners of all the feet front on any block, allow a variation from the rule herein established, so that the inner line of the sidewalk shall be at a point, being the center between the lot and the curb line in front of the block where such change aforesaid is petitioned for, for the purpose of protecting trees, and for such other reasons as shall seem just and proper to the Council; but in all such cases the distance of the inner edge of the sidewalk from lot line must be uniform for the

whole block. Where, in granting permission under the provisions of this section, it will be necessary to change the approaches on either side of the block, the lot owners to whom the permission is granted shall bear the expense of such change. Sidewalks, except as hereinbefore provided, shall be constructed of either stone, asphaltum, tar, iron, or two-inch plank laid crosswise upon three sufficient supports, and shall be of such width as the Council shall direct, not less than three feet.

1269. § 3. Sidewalks on business streets, or portions thereof, shall be constructed so as to incline upwards from the outer edge of the sidewalk toward the buildings or boundary of the lot at the rate of not less than one inch nor more than one and one-fourth inches in three feet; the outer edge of said walks to rest on the top of the curb; and no part of said walks shall be taken for private use by lowering or cutting down the same next to the building; and said sidewalk shall be built up to the building on an uniform grade: *Provided*, That an open space of not more than four feet may be left next to the building, but the same shall be securely protected by strong iron railings. Entrances, stairs, and steps to areas and basements, on sidewalks, shall not be more than four feet wide, and said stairs and steps or entrances shall be securely protected by iron railings. The pitch or inclination on all sidewalks, except on business streets or portions thereof, shall not exceed three inches per width of five and one-third feet.

No sidewalk on any residence street or part thereof shall be more than eight inches above the adjacent curb grade: *Provided*, The Council may, by resolution, upon the petition of the owners of a majority of the feet front in any block on such street, allow sidewalks in such block to be constructed to a height of not exceeding thirty inches above the adjacent curb grade: *Provided*, That in all such cases the approach from the curb grade of intersecting or cross streets shall incline upward in a uniform manner to the height so established until the lot line is reached: *And provided further*, That such pitch or inclination shall in no case be greater than one inch to the foot. Any person who shall

hereafter construct or procure the construction of any sidewalk, in violation of this ordinance, shall, upon conviction, be fined in any sum not exceeding one hundred dollars, and stand committed until such fine and costs are paid; and should any sidewalk be permitted to remain in violation of this section after five days written notice thereof to the owner of the property in front of which the same is located, by personal service or by leaving a copy thereof at his residence or place of business, then such owner shall upon conviction be fined in any sum not exceeding ten dollars for each twenty-four hours the same is so permitted to remain, and shall stand committed until such fine and costs are paid; and one or more convictions under this provision shall not be a bar to any conviction for a subsequent violation. In case the owner of property in front of which any unlawful sidewalk is located refuse or neglect to rebuild or relocate the same, then the Council may order the same rebuilt or relocated and assess the costs thereof upon the abutting property upon the same notice and in the same manner as is hereinafter provided or provided by law for the construction of and assessment for new sidewalks.

1270. § 4. Whenever any street or avenue or any part thereof shall have been brought to the established grade, or permanently improved, and in the opinion of the Council it shall be necessary or advisable to bring any sidewalk space to such grade, or on the proper grade of such permanently improved street, and to place a sidewalk thereon, or whenever in the opinion of the Council it shall become necessary or advisable to construct a temporary plank sidewalk upon the natural surface of the ground upon streets not brought to the established grade, or permanently improved, they shall pass a resolution ordering the owner or owners of the abutting lot or lots to do said work and construct said sidewalk, designating therein whether the sidewalk shall be a permanent or temporary one. A copy of such resolution shall be served upon the owner or owners of the lot or lots along which said sidewalk may be ordered constructed or grading done, either personally or by leaving at his or their

usual place of residence or business, when they or the same can be found. In case of non-residence, or absence of those who have no usual residence or place of business that can be found, a copy of such resolution shall be published once in some newspaper of general circulation in the city of Lincoln. The person serving such notice, or knowing of the publication, shall make a sworn return thereof to the City Council of the manner and date of such service.

1271. § 5. If the work required by the resolution mentioned in the preceding section is not done within thirty days from the date of the service thereof, or publication, the Council may, by resolution, direct such officer or person as they may see fit to proceed to construct the said sidewalk and to do the said grading, and report the costs thereof to the Council, together with the time and manner of service of notice, and thereupon the amount thereof shall be assessed to the abutting property in the manner provided by law.

1272. § 6. Such officer as may from time to time be authorized by the Council shall have general supervision of all sidewalks, sidewalk space, and cross-walks of the city, and it shall be his duty to see that all sidewalk space is not unlawfully occupied, and report all obstruction on and unlawful use of the same, and attend to the construction and repair of all cross-walks under the directions of the Council. Whenever any sidewalk needs repairing he shall immediately serve a written notice on the owner or owners of the abutting property in the manner prescribed in section 4 of this ordinance, to properly repair the same, and if such repairs are not made, or properly made within two days of the date of the service or publication, then the said officer shall make the necessary repairs, and shall report the cost thereof, together with the time and manner of service of notice to the Council, and the Council shall thereupon cause the said costs and expenses to be assessed to the abutting property in the same manner and under the same conditions as the cost of sidewalks are assessed. Whenever in the opinion of the officer in charge of the sidewalks it will require fifty per cent or more of

the costs of a new sidewalk to properly repair any walk, it shall be his duty to report the same, with his recommendations, to the City Council, and the Council shall thereupon, by resolution, order the said sidewalk repaired or declare the old walk a nuisance and order it removed and a new one constructed, as they may determine, and such officer shall thereupon notify the owner in accordance with section 4 of this ordinance to fix such sidewalk in the manner directed by the Council, and if he refuses or neglects to repair the same within two days, or construct a new walk within thirty days after such notice, as the case may be, then such officer shall proceed to repair or construct, as he may have been directed, such walk and report the costs and expenses thereof to the Council, who shall assess the same as provided by law. In the event any sidewalk should become unsafe or dangerous, it shall be the duty of the officer having the same in charge to immediately repair the same, or properly place guards around the dangerous place so as to keep the public therefrom. For the purpose of investigation and repair of any sidewalk in the city, the officer having the same in charge is authorized to enter any areaway under the sidewalk, and for that purpose has the right to go upon any private property at any reasonable hour of the day; and it shall be unlawful for any person to prevent or attempt to prevent such officer from entering such areaway, or making any such investigation or repair, and shall be subject to the penalties provided in this ordinance.

1273. § 7. All wooden sidewalks now existing or hereafter placed or constructed in the city of Lincoln, which are now or hereafter shall become in a dilapidated condition, or in need of repair, are hereby declared a nuisance, and any person or corporation permitting such walks to be or remain alongside or in front of his or its premises shall, upon conviction thereof, be fined in any sum not less than five dollars nor more than twenty-five dollars for each twenty-four hours such walk shall be permitted to remain in such condition, and stand committed until such fine and costs are paid, and a prosecution for one or more offenses under this section shall not be a bar to any subsequent offense.

1274. § 8. No person shall be allowed to keep or use for vaults, areas, or other purposes, the space beneath the sidewalks included within the sidewalk lines of any street in said city, unless a permit therefor shall have been obtained from the City Council; such permits to continue and to be issued only upon such condition that the party receiving the same shall, as a compensation for the privileges granted by such permit, build, maintain, and keep in repair, a sidewalk over such space intended to be used for vaults, areas, or other purposes, and pay all damages that may be sustained by any person by reason of said sidewalk being in a defective or dangerous condition.

1275. § 9. No permit shall hereafter be granted for areas under sidewalks that will be of greater width, measured from lot lines, than three-fourths of the distance from lot line to curb line, (except in cases where such space shall be securely walled and arched in brick or stone and approved by the Committee on Sidewalks.)

1276. § 10. It shall be unlawful for any person or persons within the city of Lincoln to construct or maintain any cellarway, window, or door, area, or entrance to any basement, in or through any sidewalk in said city of Lincoln of greater width than forty-eight inches from lot line, and all such cellarways, windows, or doorways, and entrances, shall be securely guarded by strong iron railings or gratings. Areas about windows opening through the sidewalk immediately adjacent to buildings, and where it is necessary to admit light and air to basement, shall be protected and covered by strong iron gratings, the bars of which shall not be more than one inch apart, and so constructed that the same may be walked upon with safety, and of sufficient strength to hold any weight that would come upon the sidewalk at that point; or shall be protected by iron railings as provided in case of cellarways. All hatchways, bulkheads, or openings of any sort through sidewalks, at a greater distance than four feet from the front lot line, shall be provided with strong iron or iron and glass coverings, with a rough surface, to prevent accidents, and the entire construction of said areas, hatchways, entrances,

and openings, shall be subject to the direction and supervision of Inspector of Sidewalks, or such other person as the City Council may designate.

1277. § 11. All areas and excavations extending under any sidewalks, in front or adjacent to any building in said city, shall be securely walled on all sides with brick or stone laid in lime mortar, and said walls shall not be less than twelve inches in thickness, and shall be securely arched over or covered over in such manner as to amply support such sidewalks without damage or danger to the public use of the same.

1278. § 12. No boiler, steam shaft, furnace, steam pipe, or cesspool, shall be constructed or located for use, and no explosive or inflammable oil or substance shall be stored or kept for any purpose under any sidewalk in this city, and no excavation when permitted shall be ventilated into the streets, unless aperture or ventilating hole or opening shall be securely covered as herein provided.

1279. § 13. Any person who shall keep or leave open any cellar door, gate, or any vault, or any sidewalk, or suffer the same to be left or kept open, or who shall suffer any sidewalk in front of his premises to become or continue so broken as to endanger life or limb, shall be subject to a fine of not exceeding fifty dollars in every case.

1280. § 14. No person shall insert any smooth pieces of glass in any sidewalk for any purposes whatever, and all pieces of smooth glass which have been inserted in any sidewalk shall be forthwith removed, under a penalty of one dollar for each and every day the same shall be allowed to remain after the expiration of ten days after the passage of this ordinance. No part or portion of any sidewalk upon any street that has been brought to grade, shall be laid or relaid at any different grade or any other level than the established grade of said sidewalk, and for every violation of this section there is hereby imposed upon the person violating the same a fine of not less than a dollar nor more than twenty dollars, and he shall alter said sidewalk so as to make the same conform to the established grade; and in case he neglects

or refuses so to do within ten days after being notified so to do by the officer duly authorized by the Council, it shall be lawful for such officer, when so ordered by the Council, to alter the same; and the cost and expense of the same may be assessed against the said lot in the manner provided by law.

1281. § 15. Every owner or occupant of any house or other building, or the owner or proprietor, lessee or person entitled to the possession of any vacant lot, and any person having the charge of any church, jail, or public hall, or public building, in this city, shall, during the winter season, and during the time snow shall continue on the ground, by nine o'clock on every morning clear the sidewalks in front of such house or other buildings, or in front of such lot, from snow and ice, and keep free therefrom during the day; or shall, in case the snow and ice are so congealed that they cannot be removed without injury to the pavement, cause the said snow and ice to be strewed with ashes or sand, and shall also, at all times, keep such sidewalks clear and free from all dirt, filth, or other obstructions or incumbrances, so as to allow the citizens to use the said sidewalks in an easy and commodious manner; and every person refusing or neglecting to comply with this section shall be fined in any sum not more than ten dollars. In case of unrepresented non-resident property owners, the officer in charge shall have the walks cleaned off and report the expense to the City Council, as provided by law, when so ordered by the Mayor or Council.

1282. § 16. It shall be unlawful for any person or persons within the limits of said city to tear up, break, remove, or destroy, or in any other manner to injure any sidewalk or street crossing in said city.

1283. § 17. No person shall at any time fasten any horse or horses in any such way that the horse, vehicle, rein, or line shall be an obstacle to the free use of the sidewalk, nor shall any person hitch or fasten any animal of any kind to a tree in the streets, or sidewalk space of the city. It shall be the duty of the owners of each building in front of which any sidewalk is now or shall be constructed, to provide and securely fasten in such side-

walk at least one iron ring of not less than two inches in diameter and one-quarter of an inch in thickness, at some point before such building, or to provide a suitable post within the limits of such sidewalk space.

1284. § 18. No person or persons shall push or draw back any horse, wagon, cart, or other vehicle, over any sidewalk, or use, ride, or drive, any horse, wagon, sled, or sleigh thereon, unless it be in crossing the same to go into a store-house, yard, or lot where no other suitable crossing or means of access is provided.

1285. § 19. All awnings hereafter erected shall be canvass on iron frames and elevated at least eight feet at the lowest part from the top of the sidewalk, and shall not project over the sidewalk to exceed three-fourths of the width thereof. They shall be supported without posts, by iron brackets or by any iron framework attached firmly to the building, so as to leave the sidewalk wholly unobstructed thereby. If any person shall erect any awning contrary to the provisions hereof, he shall be subjected to a fine of not more than five dollars for every such offense, and to a further fine of five dollars for every day he shall fail to remove such awning after being notified by the Inspector of Sidewalks, or such other officer duly authorized by the Council so to do.

1286. § 20. If any cartman or any other person shall break or otherwise injure any footpath or sidewalk or lamp-post, he or they shall, within twenty-four hours thereafter, cause the same to be well and sufficiently repaired and mended.

1287. § 21. No owner or occupant of any store or house shall permit or suffer any cart or other wheel carriage to be driven or otherwise to pass, go over, or upon, the footpath or sidewalk opposite to such house or store for the purpose of loading or unloading such cart or other wheel carriage, or for any other purpose whatever.

1288. § 22. No person, while receiving or delivering any goods, wares or merchandise, shall permit the same to remain on any sidewalk longer than six hours, and for this purpose he

shall not occupy over six feet of the outer edge of the sidewalk in front of his store or building.

1289. § 23. It shall be unlawful for any person to ride or drive bicycles or velocipedes upon any sidewalk or street crossing in this city.

1290. § 24. Hereafter no person shall construct or place, or cause to be constructed or placed, any portico, porch, door, window, sign, or outside stairway, which shall project into or over any sidewalk more than three feet. No sidewalk shall be used for the storage or exhibition of goods, wares, or merchandise of any kind or description whatever, which shall occupy greater space than five feet next to the building or boundary line of the lot; and such place shall not be sublet by the occupant or owner of said lot or building to any other person whatever; and if any person shall place or cause to be placed, in or upon any sidewalk, any barrel, box, hogshead, crate, packages, signs, bulletin boards, posts, stands, or any matter or thing whatever which shall take up more space than five feet next to the building, and shall suffer the same to remain thereon more than six hours, he shall be subject to a fine of not more than ten dollars; and any policeman or public officer shall be empowered to cause the same to be removed at the expense of the party placing the same there: *Provided*, That it shall hereafter be lawful for any merchant or other business man to erect signs as follows: Glass illumined signs not to exceed four feet in width, length, or height, and signs made of wood, painted or gilded, and made to represent articles had for sale. All such signs to be placed upon substantial iron or wooden posts, not less than eight feet above the sidewalks, the posts to be firmly fixed in the sidewalk just inside of the curb line. No signs of any other kind or nature shall be erected in the sidewalk.

1291. § 25. The officer having in charge the street crossings shall not lay any crossings or sidewalks except he be specially authorized so to do by the Mayor and Council. He shall make a sworn report to the Council of the location, length, and width, of said street crossing or sidewalk, the number of feet of lumber

used in the construction, and the actual cost of said crossing or sidewalk.

1292. § 26. The officer in charge of the sidewalks and street crossings shall keep in a suitable book, an accurate record of all notices and ordinances served by him, with the time and manner of such service, and shall keep a careful and accurate account of all work done by him, with the cost and expense thereof, and make written report to the Mayor and Council at every regular meeting, of all his official acts during the preceding week.

1293. § 27. It shall be the duty of all policemen to take note of all defects in sidewalks, and when out of repair, notify the owners or occupants of premises in front of which said sidewalks are, and also report the same to the officer having the same in charge; and in case of accident, they shall report the same to the City Attorney, together with the names of any witnesses to said accident, if known to them.

1294. § 28. It shall be lawful for any person in the city of Lincoln to plant shade or forest trees on the line of any street in the city of Lincoln, the outside row of trees to be not less than five feet from the curb line, and the inside row of trees to be not more than two feet from the line of said lot or lots, except on streets less than one hundred feet wide, no outside row shall be permitted, and all trees shall be trimmed by lot owners in such a manner as not to obstruct the free passage of sidewalk for pedestrians and not interfere with light from street lamps. And it shall be lawful for any person or persons who have heretofore, or shall hereafter, set out trees on any street or streets in the city of Lincoln, to build and maintain good and sufficient fence to protect said trees: *Provided*, The outside of said fence shall be built one foot from curb line: *Provided*, That the City Council may at any time order the removal of any fence or trees which they may deem advisable: *Provided further*, That it shall not be lawful for any person or persons to build or erect such fence across any street, alley, or sidewalk.

1295. § 29. Any person who shall hereafter set out any trees upon the line of any street as hereinbefore provided, and any per-

son who has heretofore set out any trees upon any street in the city of Lincoln, shall have the right to cultivate that portion of the street included within the fence herein provided for, for the period of two years, and may thereafter plant grass seed on said portion of the street.

1296. § 30. If any owner, herder, employe, or any person whomsoever, owning or having charge of any sheep, hogs, horses, mules, cattle, or stock of any description whatever, shall suffer or permit any sheep, hogs, horses, mules, cattle, or stock of any description whatever, to go upon any portion of a street within the city of Lincoln upon which trees or grass seed have been planted as hereinbefore provided, he shall be fined in any sum not less than one dollar nor more than fifty dollars for each offense.

1297. § 31. That any person who shall fail to observe, or who shall violate any of the provisions of this ordinance for which a penalty is not otherwise herein provided, or who shall construct any sidewalk contrary to the provisions of this ordinance or who shall obstruct that part of the street herein designated for sidewalks, shall, on conviction thereof, be fined in any sum not exceeding one hundred dollars.

§ 32. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 33. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

ARTICLE LXI.

Stationary Engineers.

1298. § 1. It shall be the duty of the Mayor of said city of Lincoln, Nebraska, by and with the consent of a majority of the members elect of the Council of said city, to appoint three persons, who shall constitute a Board of Engineers. Said appointment shall be made as soon as practicable after this ordinance takes effect, and the persons so appointed shall hold their office

until the next general city election in the spring of 1893 and until their successors in office are appointed and qualified. As soon as practicable after the city election in the spring of 1893 the Mayor shall appoint three persons to constitute such Board of Engineers, who shall hold their offices for a period of one, two, and three years respectively, and until their successors in office are appointed and qualified, and thereafter it shall be the duty of the Mayor, immediately after the spring election in each year, to appoint one person as a member of said Board of Engineers, who shall hold his office for a term of three years and until his successor is appointed and qualified.

1299. § 2. Every person so appointed as a member of such Board of Engineers shall be a competent and practical stationary steam engineer, having had at least five years' experience in the business and holding a first class certificate in full force and effect issued by some authorized Board of Engineers of any city in the state of Nebraska.

1300. § 3. As soon as practicable after their appointment and qualification as hereinafter provided, and within ten days from the date of their appointment, it shall be the duty of such members of said Board of Engineers to meet and organize themselves by electing one member as chairman, one member as secretary, and one member as treasurer, and he shall pay over and account to the City Treasurer, and they shall also provide for regular sessions of said board, which shall occur at least once in each month.

1301. § 4. It shall be the duty of the chairman of such board to preside at their meetings, and he shall sign all certificates issued to persons under this ordinance; he shall also examine all boilers as hereinafter provided, and shall perform all such other duties as may be incident to his position under this ordinance. It shall be the duty of the secretary to keep a record of all the proceedings of the board and to keep a list of the names of all persons who have been examined for positions as engineers and of those who have received certificates from this board, and also of such persons to whom certificates have been refused by

the board, and he shall countersign all certificates that may be issued. It shall be the duty of the treasurer to collect and receive the fee to be paid by the applicant for examination, and he shall keep a record of all moneys received and disbursed by him and account monthly for the same to the City Treasurer. He shall also collect and receive the fee hereinafter provided for the inspection of boilers, to be paid by the owner of such boiler, and shall pay the same to the person making the inspection: *Provided, however,* That the officers of this board shall hold their respective offices in such board for the term of one year and until a new member has been appointed and qualified: And *Provided further,* That the chairman shall have power to call a special meeting of the board when necessary, and that in the absence of either member of said board the remaining two members shall constitute a quorum and be authorized to transact business.

1302. § 5. It shall be the duty of the Board of Engineers, upon the payment of three dollars by the applicant, to examine persons touching their qualifications as engineers, who desire to act as engineers, and take charge of steam boilers. If the applicant passes a satisfactory examination, they shall grant and issue to him a certificate of qualification. If the applicant fails to pass a satisfactory examination, he shall not be allowed to apply again for a certificate for two months thereafter. All certificates granted shall be in force for one year from the date thereof and no longer, and any person holding a certificate from the board may have the same renewed at its expiration, for a period of one year, by the applicant for such renewal paying the sum of \$2: *Provided, however,* That the person applying for such renewal is entitled thereto, and such application for renewal is made on or before the last regular meeting of the board before the expiration of the applicant's certificate. And unless the above provision is complied with, the board may, at its discretion, order a new examination.

1303. § 6. The board shall have the right to adopt such rules and regulations as they may deem necessary and proper, not inconsistent with this ordinance. The full board by a unani-

mous vote shall have power and may revoke any engineer's certificate upon good cause being shown therefor.

1304. § 7. It shall be the duty of each engineer holding a certificate from the board, or a certificate that has been visaed by the board, to display the same in some prominent place near the boiler or boilers in his charge. The board may revoke any engineer's certificate who shall fail or refuse to comply with this section.

1305. § 8. The chairman of the Board of Engineers shall, in person or by deputy, carefully inspect and test every stationary steam boiler and steam generating apparatus used under pressure, located in the city of Lincoln, at least once annually. He shall keep a complete and accurate record of the names of all owners or users of steam boilers, giving a full description of the boilers inspected by him, and the amount of pressure allowed, and the date when last inspected, and the owner or user of such boiler shall pay the sum of three dollars for each inspection. If after inspection the inspector shall find the boiler in a safe condition, he shall issue to the owner or user of such boiler a certificate of inspection, but not until after the fee for such inspection has been collected. Any owner or user of any stationary steam boiler or boilers failing or refusing to have the same inspected as provided in this section, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not more than one hundred dollars. If any owner or user of a steam boiler or boilers, or an engineer in charge of the same, shall carry a greater pressure than is allowed in the certificate of inspection granted by the inspector, they or either of them shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten (10) dollars nor more than one hundred dollars, and in case of an engineer, his certificate shall be revoked. Or if such owners or users shall use any boiler that has been condemned as unsafe by the boiler inspector, they shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in a sum not less than ten dollars nor more than one hundred dollars: *Provided*, That any boiler which is kept

insured in any reputable and legitimate insurance company requiring inspection, or boilers that are used for heating private dwelling houses only, shall be exempt from the inspection as provided in this ordinance. And it shall be the duty of any boiler inspector for any insurance company, immediately after each boiler inspected by him, to report in writing to the Board of Engineers, giving the name of the owner or user, the location and condition of each and every boiler inspected by such inspector. The penalty for the failure or refusal of any inspector to report as above shall be a fine of \$10 for each boiler not so reported.

1306. § 9. It shall be the duty of every person holding a certificate from this board to make a semi-annual report to the board, during the months of January and July of each year, of the condition of every boiler, pumps, and connections under his charge, and a failure to do so shall be deemed under this ordinance a sufficient cause for the board to revoke the certificate held by the person thus failing to make such report.

1307. § 10. It shall be unlawful for any person to operate or cause to be operated any stationary steam boiler used to furnish steam for any purpose other than heating a private dwelling house unless there be in charge of such boiler an experienced person having a certificate from the Board of Engineers, or a certificate that has been visaed by the board, and any person or persons found in charge of a boiler not having a certificate from the Board of Engineers, or a certificate that has been visaed by the board, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than five dollars nor more than fifty dollars for each offense: *Provided, however,* That any owner or user of any boiler in use who shall for any cause be deprived of the service of a person holding such certificate may procure an experienced and careful person to take charge of such boiler for a period not to exceed ten days: *Provided further,* That this does not apply to railway engineers running stationary engines in the employ of railway companies.

1308. § 11. Any person who shall violate or fail to comply with the provisions of this ordinance shall be deemed guilty of a

misdemeanor, and, upon conviction thereof, where no other fine is fixed, be fined in a sum not less than ten dollars nor more than fifty dollars for each offense.

1309. § 12. Each member of the board shall receive a salary of twenty-five dollars per annum. They shall each give bond to the city of Lincoln, Nebraska, in the sum of three hundred dollars, conditioned that they will faithfully and impartially discharge the duties of their office and that they will fully account for and pay into the city treasury once in each month all moneys received by them under this ordinance.

1310. § 13. It shall be the duty of the City Clerk to furnish the board with all necessary blanks and stationery. It shall be the duty of the secretary of the board to make a monthly report to the City Council, stating therein the nature and date of all boiler explosions and names of all persons receiving an engineer's certificate during the current month and of the persons to whom certificates have been refused and of all such other proceedings of the board as the Council may direct. All moneys received under this ordinance shall be applied first towards the payment of all expenses and outlays created by this ordinance, and second, the balance, if any, shall be paid into the general fund of the city by the City Treasurer.

[Passed January 3, 1893. Approved January 10, 1893. Published in *News* January 12, 1893. Passed October 17, 1893. Approved October 19, 1893. Published in *Journal* October 22, 1893.]

ARTICLE LXII.

Steam Carousals.

1311. § 1. That it shall be unlawful for any person, persons, corporation, or firm to carry on or engage in the business usually called and designated as a "steam carousal," or muscle developer, or lung tester, without first having obtained a license therefor from the said city, and without first having paid the charge for such license as hereinafter provided, and without first having obtained the consent in writing of each and every occupant and the

owner thereof of any and all dwelling houses or business houses or houses which may be within a radius of four hundred feet of the proposed location of such "steam carousal," or muscle developer, or lung tester.

1312. § 2. The charge for a license for running and exhibiting a so-called "steam carousal," or muscle developer, or lung tester, shall be at the rate of \$— per day, \$5 per week, \$25 per month, and \$100 per year.

1313. § 3. The party asking for such a license shall first pay to the City Treasurer the sums of money as hereinbefore specified, and upon presentation of his receipt for such payments, together with the consent in writing of each and every occupant, and the owner thereof of any and all dwelling houses, or business house or houses which may be within a radius of four hundred feet of the proposed location of such "steam carousal," or muscle developer, or lung tester, to the City Clerk of the said city, he shall be entitled to receive from the said Clerk a license for the time specified by the said receipt, which license shall be signed by the Mayor and the City Clerk. The City Clerk shall not be authorized to issue the said license until he is satisfied by competent proof, by affidavit or otherwise, that the conditions herein required have been fully complied with in all respects.

1314. § 4. The City Clerk shall be entitled to a fee of \$1 for the issuing of said license.

1315. § 5. Any person who shall violate the provisions of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor, and shall be fined in the sum not exceeding \$10 for each offense.

[Passed June 5, 1894. Approved June 6, 1894. Published in *Journal* June 7, 1894.]

AN ORDINANCE regulating the erection, use, and operation of steam engines in the city of Lincoln, prohibiting the same save as herein provided, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LXIII.

Steam Engines.

1316. § 1. It shall be unlawful for any person or persons to erect, use, or operate, a steam engine within the fire limits of the city of Lincoln, except as hereinafter provided.

1317. § 2. Any person or persons desiring to erect, use, or operate, a steam engine within the fire limits of the city of Lincoln, shall make application to the City Council in writing for permission so to do. Such application shall set forth first, the place, when and for what purpose the steam engine is to be used; second, that provisions have been made, either by a chimney or smoke-stack of sufficient height, or by other satisfactory methods, stating the same in the application, for avoiding all interference and annoyance to other business caused by the operation of such steam engine. Upon consideration of any such application, the City Council may, if to them it may seem desirable, grant such permission, whereupon the City Clerk shall issue a permit to such applicant.

1318. § 3. Any person or persons violating the provisions of this ordinance, or who shall erect, use, and operate, a steam engine within the fire limits of the city of Lincoln without first complying with the provisions of this ordinance and the procuring of the permit herein provided for, shall, upon conviction thereof, be fined in any sum not exceeding \$50 for each offense, and stand committed until such fine and costs of prosecution are paid.

§ 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 5. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the numbering of houses and naming the streets in the city of Lincoln, providing how said streets shall be used, prohibiting their use in certain ways, providing for condemnation of private property for use for street purposes, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LXIV.

Streets.

1319. § 1. The several streets, avenues, and public places in the city of Lincoln, shall hereafter be known and designated by the name applied thereto respectively on the map of the city of Lincoln, published by J. P. Walton, in the year 1889.

1320. § 2. It is hereby made the duty of the owners or occupants of all buildings situated in the city of Lincoln to number them in the manner herein, and as may be hereafter provided by the City Council.

1321. § 3. That every building fronting upon any of the streets in the city of Lincoln shall be numbered, commencing at First street and numbering from west to east, setting apart one hundred numbers for each block facing the same street, and shall be as nearly consecutive as possible, commencing with even hundreds in each block on all streets running east and west. Commencing at O street, and numbering north and south from said O street, one hundred numbers shall be set apart for each block, commencing with even hundreds. All odd numbers shall be given to the buildings on the south side and even numbers on the north side of each street running east and west. On all streets running north and south, the odd numbers shall be on the west side and even numbers on the east side of each street.

1322. § 4. Each of the figures of every number shall be not less than three inches in length, being so marked as to be distinctly and easily read. Said numbers shall be placed in a conspicuous place, on the side of or above the front door of the buildings to which the same are attached.

1323. § 5. It shall be the duty of each owner or occupant, within thirty days after the taking effect of this ordinance, or

within thirty days after the erection of any such building, to place or cause to be placed and maintained upon the front of his or her building, in plain distinct figures, in a conspicuous place near the front entrance, the number of his or her building.

Any person failing to comply with the provisions of this section shall, upon conviction thereof, be fined in the sum of one dollar and costs of action, and stand committed to the jail of said city until such fine and costs are paid or secured.

1324. § 6. In case of refusal or neglect of any person to number his or her building as provided in this ordinance, the City Council may order the proper number placed thereon, and charge the cost thereof against and collect the same from the property so numbered in the manner provided by law for the levy and collection of special assessments.

1325. § 7. The streets, alleys, and sidewalks in the city of Lincoln shall be kept free and clear of all obstructions, incumbrances, and encroachments, for the use of the public, and shall not be used or occupied in any other way than as herein provided in this ordinance. No wagon, sleigh, sled, carriage, or vehicle of any kind, or any part of the same, without horses or other beasts of burden, shall be permitted to remain or stand in any street, alley, or other public place in the city, for more than one hour, except for the purpose of being repaired, and then only in front of the premises of the person so repairing, and within eight feet of the curbing, and any such vehicle may be removed by the Street Commissioner or any policeman. No such vehicle shall be permitted to remain on any sidewalk in this city under any circumstances for any purpose.

1326. § 8. No person shall erect or place any building, in whole or in part, upon any street, alley, or sidewalk, or other public ground within this city, under penalty of a fine of not exceeding one hundred dollars.

1327. § 9. The owner of any building, fence, or other obstruction, now standing or which may hereafter be erected or placed upon any street, alley, or sidewalk, or public ground within this city, or which may be left standing upon any new

street that has been or may hereafter be opened, shall remove the same within such reasonable time not exceeding thirty nor less than three days, as he shall be required so to do by notice signed by the Street Commissioner, under penalty of a fine of not less than twenty-five nor more than one hundred dollars, and a further penalty of ten dollars for every day the same shall so remain.

1328. § 10. Whenever the owner of any building, fence, or other obstruction, upon any street, alley, sidewalk, or public ground in this city, shall refuse or neglect to remove the same after notice as prescribed in the preceding section, or if the owner cannot be readily found for the purpose of such notice, the same shall be deemed a nuisance, and it shall be lawful for the Street Commissioner, and it is hereby made his duty, to cause the same to be removed or taken down, in his discretion, and the expense thereof shall be recoverable of the owner in an action at law; and every person who shall oppose or resist the execution of the orders of said Street Commissioner in the premises shall be fined in any sum not exceeding one hundred dollars.

1329. § 11. Any person or persons who shall be engaged in drawing stone, ice, mortar, earth, rubbish, or manure, through the streets, shall, when conveying or carrying earth, manure, mortar, shavings, and rubbish, convey and carry the same in tight boxes, and when carrying or conveying any of the aforesaid articles, in case the same fall into the street or the same be scattered in any street or avenue, cause the same to be forthwith removed; and for any violation of any provisions of this section he or they shall be fined not more than five dollars.

1330. § 12. No person shall be permitted to dress stone in the steets or prepare any material for building in the streets which can be prepared elsewhere.

1331. § 13. No person or persons shall be permitted to drive or cause to be driven any cattle through the streets of the city of Lincoln without providing one competent person as driver for each ten head or fractional part thereof. That when the cows

or cattle are collected and held in herds exceeding ten head, there shall be at least one competent person as herder kept in charge for each ten head in said herd or fractional part thereof while collecting or disbanding said herd. That no one person shall be permitted to have in charge more than six head of cows or cattle while tying up or untying the same for the purpose of making up herds or disbanding the same, and the owner of or person managing herds shall be liable for all damages arising by reason of violations of this section.

1332. § 14. The names of all streets shall be placed on all street corners, and shall, wherever there are street lamps at the corner of the street, be painted on said street lamps, or on tin, glass, or metallic strips or plates, and firmly attached to said lamps or lamp posts.

1332. § 15. It shall be unlawful for any person or persons to throw, catch, or bat, any ball in or upon any of the streets or alleys in the city of Lincoln.

1333. § 16. It shall be unlawful for any person or persons to dig up, excavate, or remove, any dirt in any street or alley in the city of Lincoln, or in any part of such street or alley, or in any manner to obstruct or injure any such street or alley or part thereof without having first obtained the consent of the City Council.

1334. § 17. It shall be unlawful for any person or persons to make an excavation in any street or streets of the city of Lincoln for gas or other mains, cellar areas, or any other purpose whatever, without thoroughly tamping the refilling of the same.

1335. § 18. It shall be unlawful for any person to drive over or across any of the curbing on any of the streets in the city of Lincoln.

1336. § 19. It shall be unlawful for any auctioneer or peddler to offer for sale any goods, wares, and merchandise, upon the streets of Lincoln within the distance of fifty feet from any established place of business.

1337. § 20. The curb lines on all streets in the city of Lincoln shall be and are hereby established at a distance of one-

fourth ($\frac{1}{4}$) of the width of the street on which any curb is laid or built, from the lot line on each side of the street, and all corners of curbs must be turned on a circle, the radius of which shall be four feet : *Provided*, The provisions of this section shall not apply to the west side of Ninth street, between S and W streets.

1338. § 21. It shall be unlawful for any person within said city to place or suffer to remain in any alley therein, any boxes, barrels, or other receptacles, refuse matter of any kind, or any other substance or thing whatever calculated to obstruct the public use of the same; and any person violating any of the provisions of this section shall, on conviction thereof, be subject to the penalty hereinafter provided.

1338a. § 22. It shall be unlawful for any person within said city, while erecting any building fronting on any street, to use for that purpose, or occupy with building material, more than one-third the width of any street or public thoroughfare immediately in front of the ground upon which such building is being erected; nor shall such building material be allowed to remain on any street or thoroughfare, to the inconvenience of the public, for a longer time than is necessary for the construction of such building; nor shall such building material be deposited in front of the property of another without the consent of the owner or occupant thereof. The owner of the ground upon which improvements are being made or built shall build and maintain, and at all times keep the same unobstructed, a sidewalk of suitable material, not less than four feet in width, in front of such improvement, and shall put up and maintain a good and sufficient fence, not less than four feet in height, consisting of posts set securely, and with four six-inch boards securely fastened thereto, both in front and rear of all excavations, sufficient for the safety of the public. All such railings or protections temporarily placed about any area or excavation for any building, shall be strongly built and securely erected, and so maintained so long as said excavation shall remain in a dangerous condition. The owners of said improvements, and the persons having such work in charge, shall, during the night time,

keep and maintain lights burning as danger signals in some conspicuous place at said excavation, and said lights shall also be so placed and sufficient in number to exhibit to passers by both the line of the excavation and such building material as may be temporarily occupying said portion of the street; and such care and precaution shall be taken by any person doing or causing to be done any such work, or having the same in charge, that a clear and unobstructed and safe passage way and sidewalk shall exist entirely around such excavation; and it shall be the duty of the several policemen of said city to see that the provisions of this section are rigidly enforced.

1339. § 23. It shall be unlawful for any person within said city to obstruct any street, or alley, or public highway thereof, by placing thereon, or permitting to remain thereon, any scales or any substance or thing interfering with the public use of the same, or to dig or make any ditch or excavation in any street or public highway, except for public purposes and temporary uses, or permit any such excavation to remain open for a longer time than is actually necessary, and all such excavations shall be carefully guarded while being made or used.

1340. § 24. It shall be unlawful for any person or persons to move any building of any kind into, upon, across, or along, any of the streets or alleys of the city of Lincoln without first obtaining from the Mayor and Council of said city of Lincoln a permit for such removal.

1341. § 25. Whoever shall be convicted of a violation of this section shall be fined in any sum not less than ten dollars nor more than one hundred dollars for each offense, and costs of prosecution, and shall stand committed until such fine and costs are paid.

No permit for the removal of any building through or upon, along, across, any of the streets or alleys of said city, shall be granted unless the person desiring such permit shall present to the Council a petition showing the place from which such building is to be removed, the street or streets, alley or alleys, along, across, or upon which such building is to be taken and removed,

the place at which the same is to be located, and the time the same is to be removed, and the time the same will be in transit, and the size and kind of building: *Provided*, No permit shall be granted until the person applying therefor shall file with City Clerk his undertaking with one or more sufficient sureties, to be approved by the City Clerk, in the penal sum of \$200, conditioned that the said applicant will make good all injury and damage done to the sidewalks and crosswalks over and along which the said house shall be moved, and shall remove said building from its present site to its destination within a period of not more than thirty days to be fixed by the Council, and for any damage that shall be caused or arise to the city of Lincoln or to any person whomsoever by reason of the removal of said building.

A fee of one dollar shall be paid into the city treasury for such permit.

1342. § 26. It shall be unlawful for any house-mover, or other person, while engaged in moving any house or other building in this city, to move the same along and over any street in which any street railroad track may be laid, in such manner as to obstruct the use of such track, unless such moving shall be done in the night time when cars are not running: *Provided*, That the Council may in proper cases suspend the operation of this section.

1343. § 27. That all persons owning lots or parcels of ground within the limits of paving districts numbers one and two of the city of Lincoln, be and they are hereby required within sixty days, from and after the adoption and publication of this ordinance, to lay the proper drain or sewer pipes from the line of each lot or parcel of ground above described to and to connect the same with the public sanitary sewer adjoining said lot. Said work to be done as required by the provisions of the ordinance fixing and regulating the use of such sewers in said city: *Provided*, This ordinance shall not apply to property in front of which water mains have not been laid: And *Provided*, That vaults and water closets in said districts shall be connected with sanitary sewers, when so ordered by the Board of Health.

Any person who shall fail and refuse to comply with the provisions of this section within the time herein provided, shall, upon conviction thereof, be fined in any sum not exceeding one dollar for each day he shall so fail and refuse, and shall stand committed until such fine and costs of prosecution are paid.

1334. § 28. The Mayor and Council of the city of Lincoln may open, widen, or otherwise improve or vacate any street, avenue, alley, or lane, within the limits of said city; and may also create, open, and improve, any new street, avenue, alley, or lane, within the limits of said city, whenever in their opinion the public interests shall so require.

1345. § 29. If the owner of any property required to be taken under the provisions of the preceding section, shall refuse to dedicate the same for the purpose required, the Mayor, with the consent of the Council, shall appoint three disinterested freeholders of said city, whose duty it shall be to inspect the property required and report in writing, under oath, to the Council, a description of each piece of property taken, and the name of the owner, and the amount of damages sustained in each case by reason of the opening, creating or improving, any street avenue, alley, or lane within the city.

1346. § 30. Such appraisers shall give written notice to the owners of property to be appraised; said notice shall contain a description of the property of said owner which is to be appraised, the purpose for which said property is to be taken, the name of the appraisers, and the time the appraisement is to be made. Such notice shall be served personally upon the owner or by leaving it at his usual place of residence, and service shall be made ten days before the appraisement shall be made. If personal service cannot be had upon any owner, the appraisers shall cause a notice to be published for four consecutive weeks in some newspaper of general circulation and published in said city, and such notice shall set forth all that is required in cases of personal service, and shall state the time of the appraisement, which shall not be sooner than ten days after the last publication above required.

1347. § 31. After the filing of the report of the appraisers with the Council and payment to the City Treasurer of the amount assessed to any owner for the use and benefit of such owner, the city of Lincoln is authorized to go upon and use said property for the purposes required. Either party not satisfied with the appraisement may appeal therefrom in the same manner as appeals are allowed in cases of condemnation of property for railroad purposes, and the proceedings shall be the same as far as practicable.

1348. § 32. The appraisers shall receive two dollars per day for each day's work and be paid by the city.

1349. § 33. That whenever the Council of the city of Lincoln shall deem it necessary to grade or repair any street, avenue, or alley, or any part thereof, within the city of Lincoln, otherwise than for the purpose of paving, macadamizing, curbing, or guttering the same, they shall order and cause such grading, cutting down, or filling up of any such street, avenue, or alley, or any portion thereof, to be done as may be necessary to make the same to correspond to the established grade of the streets of said city, as near as may be, and sufficient to keep the same in good repair for public use, the expense thereof to be paid from the funds of said city. No highway in said city shall be permanently graded except the same be ordered done by an affirmative vote of two-thirds of the City Council.

The grading and repair of streets and highways contemplated herein shall be done under the supervision of the Street Commissioner and the City Engineer, when the work is of such nature as to require the services of the latter officer.

1350. § 34. No person shall be allowed to make any excavation in any paved street or alley, or remove any paving or other material forming any street or improvement thereon, without a permit from the City Engineer, and to be issued only upon a written application of the party desiring such permit, which application shall be filed away in an orderly manner and duly preserved. Such person shall be required to maintain good and sufficient barricade, guard, lights, and signals, as will protect

the public from injury or loss. Such applicant shall deposit with the City Engineer the sum of ten dollars or a sum sufficient to cover the cost of replacing any pavement removed, and it is hereby made the duty of the City Engineer to cause the said pavement to be replaced, and after paying the expense thereof the balance of the money, if any, remaining in his hands, shall be returned to the applicant. Any person who shall do or perform any of the acts prohibited by this section, or any person who shall, while acting under the permit as aforesaid, fail to erect and maintain good and sufficient barricades, guards, lights, and signals, as herein provided, shall, upon conviction thereof, be fined in any sum not less than five dollars nor more than one hundred dollars. A fee of one dollar shall be paid into the city treasury for each permit.

1351. § 35. Any person who shall violate any provision of this ordinance for which a penalty is not otherwise provided, shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

§ 36. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 37. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest : J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the construction, use, and operation of street railroads in the city of Lincoln, providing for an election to decide whether a proposed company shall be granted the right to construct and operate its proposed road, fixing the maximum rate of fare to be charged by street railroads in the city of Lincoln, and regulating the methods of paying the same, and the sale of tickets by such companies, prescribing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LXV.

Street Railroads.

1352. § 1. Any street railroad company desiring hereafter to secure a charter to construct and operate a street railroad in the city of Lincoln, shall file with the City Clerk a map or plat showing the exact route or routes of the proposed street railroad,

and designating the termini and the street or streets, or portions thereof, along which it is intended to construct and operate such street railroad.

1353. § 2. Upon the filing of such plat the Council shall provide by ordinance for an election to enable the qualified electors of said city to vote upon the question whether said company shall be granted the right to construct and operate such proposed street railroad.

1354. § 3. Upon the passage of such ordinance, the Mayor shall cause a notice of such election to be published at least ten days prior thereto in some newspaper published in said city, which notice shall state the termini of such proposed street railroad, and the street or streets, or portions thereof, through which it is proposed to construct and operate, the same as shown by the plat filed as hereinbefore provided, the form in which the question shall be taken, and the time when such election shall be held.

1355. § 4. Every such election shall be held at the time designated in the notice, and shall be held in the same manner and at the same place as the general city elections, and the returns shall be canvassed by the Council at its next meeting after such election, and the result declared, and if the majority of the electors of said city shall be found to be in favor of constructing and operating such proposed street railroad, the Council shall cause the City Clerk to make out a certificate of the result, stating that the consent of a majority of the electors of such city has been given to the constructing and operating of such street railroad, and deliver the same to the chief officer of such street railroad company, and thereupon such street railroad company shall be authorized to proceed to construct and operate such street railroad: *Provided*, That the franchise so granted shall not be exclusive, and that said railroad shall be constructed and operated subject to such rules and regulations as may now or hereafter be established by ordinance, and that the said railroad company shall be guided, governed, and regulated, by the provisions of this ordinance, and such further conditions, restric-

tions, rules, and regulations, as may hereafter be provided, and such further necessary and usual police regulations as the Council may hereafter establish.

1356. § 5. The expense of publishing the ordinance and notice of election, and all expenses of such election, shall be paid by the company at whose request said election was held.

1357. § 6. That all tracks laid for street railroads shall be of the uniform gauge of four feet eight and one-half inches; and the same shall be laid according to the direction of the City Council and City Civil Engineer; and no motive power except horses or mules, cables, or electricity, shall hereafter be used upon any street railroad in this city, and no street railroad shall be used for the transportation of freight, but only for passengers and their ordinary baggage or packages in hand: *Provided further*, That every company to whom any privilege shall be granted to construct and operate street railroads upon the streets and avenues of this city, shall place and continue upon said road good cars for the convenience and comfort of passengers, and that they run cars thereon as often as the public convenience and business of the road will justify.

1358. § 7. The track of every street railroad shall conform to the established grade of the streets wherever the street itself is or may be put to grade, and on streets that have not yet been put to permanent grade, the said tracks shall conform as nearly as practicable to the general surface of such street, and shall be constructed in such manner as to be no impediment to the ordinary use of the streets and the passage of wagons, carriages, and other vehicles, upon, along, or across said track, at any point and in any direction, and shall be kept in good repair, to the satisfaction of the Council; and in the case of the failure of any company to do the same within ten days after being notified by the proper city officer, the Council shall have the right to prevent the use of said track until the provisions of this section are complied with.

1359. § 8. The center of the track of all street railroads shall, as nearly as possible, be constructed in the center of the street,

except when two tracks are laid, when the center between the tracks shall be as nearly as practicable in the center of the street. Not more than two (2) street car tracks shall be laid upon any one street of this city regardless of how many companies may desire to or are using said streets: *Provided, however,* That this act shall not apply to that part of the street where the tracks of the several street cars cross each other upon cross streets, nor shall this ordinance prevent the laying of switches to connect the several tracks and cross tracks permitted under ordinance of this city, and all tracks shall be as near to the center of the street as possible.

1360. § 9. That when two tracks shall have been constructed upon any street or portion thereof, it shall be unlawful for any company to construct any turn-out or switch on that portion of the street so occupied by two tracks: *Provided,* That this section shall not be construed to prevent the construction of suitable switches or turn-outs to connect said two tracks wherever necessary or desirable.

1361. § 10. The Mayor and Council shall, at any time, have the power to order any street railroad company to cause its track or tracks to be taken up and relaid at the cost and expense of said company whenever it shall be necessary for the purpose of regrading any streets, constructing sewers, or laying water mains therein; and the city of Lincoln shall not be liable to any such company or individuals for any damage any such company or individuals may incur, or from any delay in the transportation of passengers that may be caused by the laying of sewers or water mains, or the necessary repairing of the same, or from any delay or damage that may be caused by fire or otherwise.

1362. § 11. That in case any street railroad company shall hereafter desire to run its cars so as to reach any railroad depot, and all the available streets leading to such depot shall already be fully occupied by street railroad tracks, then in such case the Council, if in its judgment the public good demands, may by ordinance provide for the use of the track or tracks already constructed by such subsequent company jointly with the company

or companies owning such track or tracks, for a distance not exceeding two blocks: *Provided*, That the company or companies desiring such use shall pay a just and equitable sum, to be determined by arbitration or by law, for the occupation, construction, and maintenance of said track or tracks, so jointly to be occupied and used, but that the legal ownership of said track shall remain in the company which first constructed the same.

1363. § 12. That the privilege of laying tracks shall include all necessary side track and switches, and laying and keeping in repair of the same, and the parts of the street occupied by the same, to be governed by the same regulations as the main tracks; the grant of the use of any street shall also include, under the same restrictions and rules, the bridges on such street.

1364. § 13. The following regulations shall apply and govern every company operating street railroads in this city:

1st. No car shall be drawn at greater speed than seven miles an hour.

2d. In turning corners from one street to another the speed of cars shall not exceed five (5) miles per hour.

3d. Cars driven in the same direction shall not be driven nearer each other than one hundred feet, unless in case of accident or where it is necessary to connect two cars, or when cars are near or at a station. No car shall be stopped over a crosswalk, or in front of an intersecting street, except to take up or leave passengers, or to avoid collision, or to prevent danger to persons in the car or street, or in case of muddy streets, when the same can be done with safety to persons on the street.

4th. When a car is required to stop at the intersection of streets, to take up or leave passengers, it shall be stopped so as to leave the rear of the platform slightly over the crossing.

5th. The conductors and drivers of each car shall use all reasonable diligence in watching for all teams, carriages, persons on foot, and especially children, either on the track or moving toward it, and on the appearance of danger to such teams or persons, or other obstructions, the car shall be stopped as promptly as possible.

6th. All proper care shall be used by conductors and drivers to prevent injury to teams, carriages, wagons, and other vehicles.

7th. The conductors and drivers shall endeavor to prevent ladies and children from entering or leaving the cars while in motion.

8th. The cars after dark will be provided with signal lights.

1365. § 14. The cars shall be entitled to the track and shall not be obstructed by any vehicle or otherwise. Any vehicle or other obstruction upon the track of any street railroad shall be turned out or removed when any car comes up, so as to leave the track unobstructed, and the driver of any vehicle refusing or neglecting to do so, or any person otherwise placing obstructions on said road and refusing promptly to remove the same for the passage of any car, shall be subject to the penalty hereinafter provided for violation of any of the provisions of this ordinance: *Provided*, That if any person shall have cause to remove any building, or other heavy substance, such person shall be allowed a reasonable time, not to exceed one hour, to cross said track, without being liable to the penalty herein named.

1366. § 15. That carts, carriages, or other vehicles of any kind, moving in the same direction with the cars upon any street railroad track in this city, shall have the right-of-way in preference to vehicles coming from the opposite direction, and it shall be the duty of all persons, having charge of vehicles passing in the opposite direction of the cars, to leave the track free for the passage of the cars, and for any vehicle following the cars upon the railroad track.

1367. § 16. That no street railway company shall charge or receive more than five (5) cents fare for each passenger carried on any of its roads, nor more than one dollar for each package of twenty-two (22) tickets, to be sold as provided in section 17 hereof.

1368. § 17. Every street railway company in this city shall keep for sale during customary business hours at not less than three (3) convenient places in the business portion of the city, packages of tickets of the required number of eleven (11) tick-

ets for fifty cents or twenty-two (22) tickets for one dollar, ready for delivery to any person applying and paying for the same.

1369. § 18. It shall be unlawful for any minor under the age of twelve years to get upon or off, or attempt to get upon or off, any street railroad car, or any platform or step thereof, while the car is in motion.

1370. § 19. It shall be unlawful for any person to ride upon any street railroad car in the city of Lincoln without paying, in the manner prescribed by the rules of said company, the fare herein provided for.

1371. § 20. The provisions of this ordinance, except the first five sections thereof, shall govern and control all street railroad companies owning or operating street railroads in this city.

1372. § 21. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, and be committed in the city prison until such fine and costs of prosecution are paid.

§ 22. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 23. This ordinance shall take effect and be in force from and after the expiration of one week from its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating the construction of street railway tracks through the paved streets of the city of Lincoln, Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln:

1372a. § 1. That hereafter no street railway company shall construct its tracks upon any paved street of this city except in accordance with the following terms and conditions: Any such company desiring to construct its tracks through any paved streets shall file with the City Council a written application for a permit to construct such track; such application shall state the location of the proposed track, and shall also contain an agreement of said company to abide by and to conform to all the requirements of this ordinance.

1372b. § 2. Upon the filing of such application the City

Council shall cause an estimate to be made of the cost of paving between the rails of such tracks, and such company shall be required to pay for such privileges as follows: If such tracks constructed within one year after the cost of such street paving has been levied and assessed, then such company shall pay the whole of the original estimated cost of paving between the rails of such track or tracks. If such track is constructed after one year and within two years after such levy and assessment, then such company shall pay nine-tenths of such original cost of such paving, and for each year after such assessment a reduction of one-tenth of the original cost of such paving shall be made. Such company shall also be required to remove and to relay pavement removed in such tracks construction, at its own expense.

1372c. § 3. Payment shall be made by such company as follows: The whole sum thus due from such company may be paid in one installment if paid within fifty days from date of levy or the date the permit for such construction was granted, or in equal annual installments of one-tenth of such original cost. Deferred payments shall bear interest the same as special assessments upon real estate for paving to be paid at the time when the special paving taxes are due in the district where the track of such company is laid: *Provided*, That if said company is charged with the whole of such original cost, the one tenth thereof shall be paid in cash at the time of receiving a permit for such construction. All payments by the company shall be made to the City Treasurer and by him apportioned between the intersections and district paving funds according to the amount of such tax in intersections and districts; the sums apportioned to the district funds shall be divided among the several parcels of real estate assessed with the cost of such paving in accordance with the ratio of assessments as a credit upon the assessments thereon.

1372d. § 4. Such company shall also execute and deliver a good and sufficient bond to the city of Lincoln, Nebraska, in double the amount charged to such company, with good and sufficient sureties, conditioned that such company will pay the said several sums of money as herein provided when the same are

due, and that said company will faithfully comply with all the provisions of this ordinance. Upon the filing of such bond and the compliance with the precedent requirements of this ordinance, the City Council may grant a permit to such company to construct its track as desired, and thereupon such company shall be authorized to proceed with such work. All such track construction shall be done in strict accordance with the ordinances of the city of Lincoln and under the direction and supervision of the City Engineer and Board of Public Works, subject to the approval of the Mayor and Council.

§ 5. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed, and this ordinance shall be in force from and after its passage, approval, and publication according to law.

Passed April 28, 1890.

Approved April 29, 1890.

ARTICLE LXVI.

Sunday.

1373. § 2. It shall be unlawful for any person or persons within the limits of the city of Lincoln, on the Sabbath day, commonly known as Sunday, to engage in any dancing, running at foot races, or fast driving of horses or other animals, playing at ball, ten pins, pitching quoits, wrestling, boxing, fishing, discharging pistols or other fire-arms, beating drums or playing upon other loud sounding instruments, except at funerals, to engage in or exhibit any show, play, opera, theater, or public amusement, excepting sacred concerts where no admission fee is charged, or to use or permit any licensed hall, opera house, saloon, billiard hall, or other place of public amusement so to be used on said day.

1374. § 3. It shall be unlawful for any business house, bank, store, saloon, or any office, to be open, or for any person or persons to be admitted thereto for general business, on said day, within the limits of said city, excepting only offices of physicians, telegraph offices, express offices, photograph galleries, railroad offices, telephone offices, hotels, restaurants, cigar stores, eat-

ing houses, ice cream parlors, fruit stands, or other like places of business in the sale of goods and commodities of a perishable character and for immediate use, street cars, railway passenger trains, livery stables, venders of ice, bread, and milk, and drug stores, for necessary purposes. Meat markets shall be permitted to be open till the hour of 9 o'clock A. M., from the first day of May until the 1st day of November, but shall not be open for the purpose of selling meat or produce from the 1st day of November [till the first day of May], and bath-rooms and the printing of newspapers and distribution thereof, shall be open until the hour of 12 o'clock noon. The term saloon, as used in this ordinance, shall be construed to include all places where malt, spirituous, or vinous liquors are sold or kept for sale as a beverage; and it is further provided that all persons engaged in and about these occupations shall conduct the same in a quiet, orderly manner, so as in no way or manner to interfere with or molest persons engaged in public worship at places of worship: *Provided*, That works of necessity and charity are excepted from the operation of this article: And *Provided further*, That nothing herein contained shall extend to those who conscientiously observe the seventh day of the week as the Sabbath, nor to prevent families emigrating from traveling, superintendents or keepers of toll bridges or toll gates from attending and superintending the same, or ferrymen from conveying travelers over the waters, or persons moving their families on such days, or to prevent railway companies from running necessary trains.

1375. § 4. Any person violating any of the provisions of this article, shall, upon conviction thereof, be fined in a sum not less than \$5 nor more than \$100 for each offense, and stand committed until such fine and costs of execution are paid.

[Passed February 6, 1894. Approved February 9, 1894. Published in *Journal* February 10, 1894.]

AN ORDINANCE regulating the manner in which the printing of the city of Lincoln shall be done, directing the City Clerk to advertise each year for bids therefor, regulating the manner in which the contract shall be let, and providing that copies of work done be furnished certain offices.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LXVII.

Supplies—City Printing.

1376. § 1. The City Clerk shall, when ordered by the Mayor and Council, during the month of December of each year advertise, in some daily newspaper published in the city, for proposals for publishing in some newspaper published in the English language in the city of Lincoln all advertisements, notices, and ordinances on account of the city for one year. All bids shall be directed to the Clerk and shall be presented to the Council at its first meeting in January.

1377. § 2. All such bids shall be opened by the clerk in the presence of the Council, while in session, and the contract for doing said printing shall be awarded by them to the lowest and best bidder; and if all bids are rejected, the Clerk shall again advertise for bids. No bid in excess of twenty-five cents per square of unleaded nonpareil type shall be accepted.

1378. § 3. After said contract has been awarded, the City Clerk shall enter into a written contract with the person or company to whom the same has been awarded, in accordance with the terms of his bids for doing said printing, and shall also cause said party to execute a bond to the city in the sum of \$1,000, or any other sum fixed by the Council, with sufficient security for the faithful performance of the terms and conditions of said contract. No printing or advertising of any kind shall be done at the expense of the city in any other newspaper than the one to which the same shall have been let.

1379. § 4. It shall be the duty of the City Clerk, whenever any job printing is required by the city, or any of the city departments, such as blanks, blank books, bill or letter heads, contracts, bonds for licenses, receipts, assessment lists, or job print-

ing of any kind, to furnish a copy or statement of the work required to be done, to each job printing office in the city, and receive bids therefor, open the same and award the contract to the lowest and best bidder for such work.

1380. § 5. In all contracts for city printing it shall be stipulated that copies of the paper publishing the city printing shall be regularly left at the office of the Mayor, City Clerk, City Treasurer, City Engineer, and City Attorney, as ordinarily distributed to regular subscribers.

§ 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to provide for the manner of procuring supplies for the city of Lincoln, authorizing the making of a contract therefor, and providing the manner in which payment shall be made.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LXVIII.

Supplies for City Government.

1381. § 1. It shall be the duty of the City Clerk, on or before the first day of December annually, to prepare separate estimates of all kinds of supplies, personal property, and material required for the use of the city during the ensuing year, and during the first week in December he shall publish a brief advertisement in one newspaper published in the city, stating the probable amount and kind of supplies, personal property, and material required by such city during the year following the first day of January next ensuing, and inviting bids therefor, which bids shall be filed with said clerk on or before the first day of January.

1382. § 2. Such advertisements shall be for seven days at least, and the bids in response thereto shall be in writing, sealed, and delivered to the City Clerk, and by him opened in the presence of the Council at some regular or called session, at which

time the Council shall examine said bids, declare the lowest and best bidder, and make award accordingly: *Provided*, That the Council shall have the right to reject any and all bids, if not deemed satisfactory, in which case the City Clerk shall re-advertise in like manner as at first.

1383. § 3. Every bid shall be accompanied with a bond of the bidder in the sum of five hundred dollars, with two good and sufficient securities, to be approved by the Clerk, conditioned that in case such bid is accepted the bidder will, without delay, enter into contract in writing, and give bond to comply with and carry out the same, which bond shall be in such sum as will be double the probable amount of supplies for the year contemplated in such bid.

1384. § 4. The committee of the Council on the various departments of the city, shall, prior to the time of said advertisement, furnish the City Clerk with estimates and lists of the kinds and amounts of supplies that will probably be needed for the year, in their various departments, and parties desirous of making bids shall receive such information as to kind and probable quantity needed, by making application to the City Clerk.

1385. § 5. The only kind of contract authorized by this ordinance shall be one in which the city agrees to take supplies needed in the various departments, from time to time, and as warrants can be drawn to pay for the same during the year; and in case any bid is satisfactory, a contract may be awarded on these terms. No supplies shall be purchased or furnished except upon the order of the Mayor or proper chairman of committee.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE regulating and taxing telegraph and telephone companies in the city of Lincoln, prohibiting them from doing business save under certain conditions, directing the manner in which poles, wires, and other apparatus shall be placed, prescribing penalties for violation of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LXIX.

Telegraphs and Telephones.

1386. § 1. Hereafter no telegraph, telephone, or electric light pole or posts shall be placed in or upon any sidewalk space in the city of Lincoln, unless a permit shall first be obtained therefor from the Mayor or Council.

1387. § 2. All telegraph, telephone, and electric light poles or posts which shall be hereafter erected on any street inside of this city, shall be placed in said sidewalk space, and the outside of the poles shall be set against the curb-stone, and no post shall be set nearer than four feet to any hydrant. All such poles hereafter set shall be placed opposite the lot line.

1388. § 3. That all telegraph, telephone, and electric light poles or posts, now erected upon any street in this city, shall be placed in the position designated in this ordinance when so ordered by the Mayor and Council. If any corporation, company, or persons, fail to comply with the order of the Council for ten days, then the superintendent, secretary, or any agent of such company or corporation, may be arrested and fined in any sum not to exceed \$25 for each offense, and be committed until such fine and costs are paid.

1389. § 4. That all telegraph, telephone, and electric light companies, shall be responsible for all damages done to sidewalks, curbing, or area walls. After setting poles they shall remove all surplus dirt and replace the sidewalk in a neat and workmanlike manner, and not leave it uneven and holes around the poles, but shall fit the walk around the poles closely and neatly. In cases of removing the poles they shall fill up all holes carefully, and tamp the dirt and remove all surplus dirt

and replace the sidewalk, leaving it in as good condition as it was before it was taken up for resetting the pole or poles.

1390. § 5. Any person or persons who shall violate any of the provisions of the foregoing sections of this ordinance, shall, upon conviction, be fined in any sum not exceeding one hundred dollars.

1391. § 6. Hereafter it shall be unlawful for any person, corporation, or company, his or its agency, to erect or maintain on or over the streets, alleys, or lanes of the city of Lincoln, a telephone line or lines, and use and operate the same, without first having paid a tax therefor, according to the provisions of this ordinance, under penalty of a fine of not less than ten nor more than one hundred dollars for each day said line or lines are operated without the payment of said tax.

1392. § 7. Hereafter it shall not be lawful for any telegraph company, or its agency, to transact any telegraph business within the limits of the city of Lincoln without having first paid a tax therefor, according to the provisions of this ordinance, under penalty of a fine of not less than fifty nor more than one hundred dollars for each offense.

1393. § 8. The tax for operating and maintaining a telephone line shall be five hundred (\$500.00) dollars per annum; for each telegraph company it shall be fifty (\$50.00) dollars per annum. The tax herein imposed shall be in addition to any tax which may be levied upon the assessed value of all real and personal property owned by such persons or companies within the limits of this city. The word telegraph, as used in this ordinance, shall be held to include district telegraph and similar companies. The tax herein imposed shall be paid into the police fund.

§ 9. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to divide the city of Lincoln into seven wards, fixing the boundaries of said wards, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln :

ARTICLE LXX.

Wards.

1394. § 1. The First ward shall be composed of that part of the city lying north of N street and west and south of the following boundaries: From N street running north on Eleventh street to R street; thence east on R to Twelfth street; thence north on Twelfth street to Y street; thence west along said Y street to the west limits of the city.

1395. § 2. The Second ward shall consist of all that part of the city lying west of Eleventh street between N and F streets.

1396. § 3. The Third ward shall consist of all that part of the city lying north of O street, east of the east boundary line of the First ward, and south of the center of the Missouri Pacific railroad track running west to West Lincoln, and west of Twenty-second street.

1397. § 4. The Fourth ward shall consist of all that part of the city between O and F streets north and south, and between Eleventh and Twenty-second streets east and west.

1398. § 5. The Fifth ward shall consist of all that part of the city lying south of F street and west of Twenty-second street.

1399. § 6. The Sixth ward shall consist of all that part of the city lying east of Twenty-second street and south of Vine street. The west boundary of the Sixth ward is more particularly described as follows: Beginning at Twenty-second street and Lake avenue, being the southwest corner of Park Hill addition; thence north along Twenty-second street to Sumner street; thence east to Twenty-second street in Pleasant Hill addition; thence north along Twenty-second street to D street; thence west to Twenty-second street in Houtz Place; thence north along Twenty-second to Randolph street; thence north

along the east line of Davenport's second addition, McMurtry's addition, Avondale's addition, and Spencer's addition to O street; thence west to Twenty-second street in Kinney's O street addition; thence north to R street; thence west to Twenty-second street in Lincoln Driving Park Company's first subdivision; thence north to Vine street.

1400. § 7. The Seventh ward shall consist of all that part of the city lying north of the First, Third, and Sixth wards, the south line of which is more particularly described as follows: Commencing at Y street at the west line of the city limits; thence east on said Y street to Twelfth street; thence south on Twelfth to the center of the Missouri Pacific railroad track; thence east to Twenty-second street; thence south to Vine street; thence east to the city limits.

1401. § 8. Except when otherwise provided, the boundary lines of the wards shall extend to the center of the streets named in this ordinance, or should there be no street on any part of the boundary line mentioned, then such part of the boundary line shall extend in conformity to an extended line conforming to such center of street mentioned for boundary.

§ 9. All ordinances or parts of ordinances contrary to the provisions of this ordinance are hereby repealed.

§ 10. This ordinance shall take effect and be in force from and after its approval and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE defining the duties and powers of the Water Commissioner and prescribing the rates to be paid for water and the rules to govern the use of water, and providing penalties for violation of the provisions of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and City Council of the City of Lincoln:

ARTICLE LXXI.

Water—Water Commissioner.

1402. § 1. The Water Commissioner, under the direction of the Mayor and Council, shall have the control and management of the water works system of the city. The Council may at any

time, when deemed advisable, provide by ordinance or resolution for the appointment of a book-keeper or cashier, and such other clerks and assistants as may be deemed necessary, who shall be appointed by the Mayor, by and with the assent of the Council. Before entering upon his duties, the book-keeper and cashier provided for in this section shall give a bond with two good and sufficient sureties, in the penal sum of two thousand (\$2,000) dollars, conditioned upon the faithful performance of his duties.

1403. § 2. The Water Commissioner shall collect all money receivable by the city on account of the system of water works, and shall faithfully account for and pay the same over to the Treasurer at the end of each and every month, taking his receipt therefor in duplicate and filing one with the City Clerk.

1404. § 3. On the first Monday in January, April, July, and October of each year the Water Commissioner shall make a detailed report to the Council of the condition of said water system, and of all mains, pipes, hydrants, reservoirs, and machinery, recommending such improvements and repairs and extensions thereof as he may think proper. Such report shall be accompanied with an itemized statement of the receipts and expenditures of such water system for the previous three months, giving the name of each person of whom money was received, and the date and account for which paid, and the name of each person to whom money was paid, with the date of payment and occasion.

1405. § 4. Said report shall also contain the names of all persons employed in the Water Department during the previous three months, with date and length of time each person was employed, the manner of his employment and the amount paid.

1406. § 5. Subject only to the direction of the Mayor and Council, the Water Commissioner shall have control of all engineers, firemen, tappers, and other employes of the Water Department, and they shall obey his orders.

1407. § 6. During the first week in August the Water Commissioner shall prepare and submit to the City Clerk an estimate of the whole cost and expense of providing for and maintaining the Water Department for the next fiscal year, which shall be in

detail, and contain a list of the kind and amount of the supplies that will probably be needed for the ensuing year, and shall be submitted to the Council. So far as possible, all supplies for the Water Department shall be furnished by contract with the lowest bidder.

1408. § 7. The Water Commissioner shall not purchase any material for the use of or employ any laborers in his department except upon the authority of the Council or Water Committee thereof, unless it be in repairs in case of emergency.

1409. § 8. All mains and connections with mains shall be laid or made under the supervision of the Water Commissioner.

1410. § 9. For all miscellaneous uses of water not enumerated in the ordinance fixing the rate for the use of water, the price of such shall be fixed by the Water Commissioner, unless otherwise ordered by Council.

1411. § 10. The Water Commissioner shall perform such other duties as may be prescribed by law or ordinance.

1412. § 11. No owner or occupant of any building in which the water is introduced will be allowed to supply other persons or families. For violation water will be stopped and the advance payment forfeited.

1413. § 12. Whenever two or more persons shall be supplied from one pipe connected with the distributing main, the failure on the part of one of the said parties to comply with the rules and restrictions herein provided, or that may be adopted or imposed by the Mayor and Council, shall authorize the Water Commissioner to withhold a supply of water from such pipe without any liability whatsoever on the part of said city, and all payments made shall be forfeited: *Provided*, That when all the realty supplied by such service pipe and its extensions belong to the same individual or corporate owner, then such owner and owners shall be held liable for the payment of all water rents due the city by reason of all premises or parts of premises so supplied with the city water, and in case such owner or owners neglect or refuse to pay or cause to be paid such water rents, then it shall be the duty of the Water Commissioner to shut off

the water from the premises until the owners thereof shall pay such rents and arrearages, or set a meter of approved pattern on said service, or shall readjust the plumbing in said premises in such manner as to supply each building or subdivision thereof through a separate stop-cock and box.

1414. § 13. No addition, alteration, or change whatever in or about any conduit, pipe, or water-cock shall be made or caused to be made by any consumer without notice of and the usual permit from the Water Commissioner, and such additions, alterations, or changes shall, in all cases, be made by a duly licensed plumber under the ordinances of the city.

1415. § 14. All consumers shall keep their own service pipes, stop-cocks, and boxes and apparatus in good repair and protect them from frost, at their own expense, and shall prevent all unnecessary waste of water; and it is expressly stipulated that no claim shall be made against the said city of Lincoln by reason of the breaking or leaking of any service cock or service pipe.

1416. § 15. No hydrant or fixture shall be kept running when not in use. Taps at wash basins, water closets, baths, and urinals must be kept closed in like manner.

1417. § 16. Application for water must be made by the owner or agent of the property, in writing, upon a contract blank furnished by the Water Commissioner, and must state fully and truly all purposes for which it is required, and when paying the semi-annual charges for it parties must frankly and without concealment answer all questions put to them relating to its consumption. In case of fraudulent misrepresentations on the part of the applicant, or of uses of the water not embraced in the applicant's contract, or willful or unreasonable waste of water, the Water Commissioner shall have the right and is hereby authorized to forfeit such applicant's payment and stop the supply of water, unless the party shall promptly pay such additional charges as the Water Commissioner shall impose.

1418. § 17. The various persons employed by the Water Commissioner, and every person by him delegated for the pur-

pose, must have free access at proper hours of the day to all parts of every building in which water is delivered and consumed, to examine the pipes and fixtures, and to ascertain whether there is any unnecessary waste of water.

1419. § 18. The city of Lincoln reserves the right to stop the supply of water without any preliminary notice, for a violation of any of the rules and requirements, nor will it be restored except upon payment of all back charges and rents, including the payment of one dollar as expense of shutting it off and turning it on.

1420. § 19. The city of Lincoln reserves the right at any time to shut off the water in their mains for the purpose of making repairs or extensions or for other purposes, and all persons having boilers or tanks within their premises not supplied with or by tanks or cisterns, but depending upon the pressure in the pipes to keep them supplied, are hereby cautioned against danger of collapse. Nor does the city of Lincoln guarantee the delivery of water through any of its mains and connecting service pipe, at any time, except only when its mains, pumping machinery, and power and the service connections are in good order, and its supply sufficient for the demands of consumers upon it.

1421. § 20. No person unauthorized by the city of Lincoln shall take water from any public or private hydrant, plug, street washer, draw cock, hose pipe, or fountain, except for fire purposes and for the use of the Fire Department in case of fire, or in any way to use or take any water for private use without first paying for the same and receiving a receipt therefor. And where two or more dwellings are constructed on one lot supplied with a yard hydrant, all the dwellings on such lot must be included at the regular rates, in the collection of water rent upon such hydrant.

1422. § 21. No person shall remove, obstruct, or in any way injure any fire hydrant, valve box, or cover, stop-cock or stop-box or cover, or in any manner injure any building, machinery, or carry off or injure any pipe, apparatus, tools, or fixtures or property of the water works, and it shall be the duty of the

owner of the premises to see that stop-boxes are kept in sight above ground and unobstructed at all times.

1423. § 22. Any person who shall violate any of the rules and restrictions for the government of consumers herein set forth shall, upon conviction thereof, in addition to the forfeitures, liabilities, stipulations, and reservations therein contained, pay a fine of not less than one dollar and not more than twenty-five dollars, and stand committed until such fine and costs are paid.

1424. § 23. If any person or persons from whose premises the water shall have been shut off for any of the reasons herein provided shall turn the water on or cause the same to be turned on without authority from the Water Commissioner, he or she shall, on conviction thereof, be fined in any sum not exceeding five dollars for each and every offense.

1425. § 24. No reduction will be made from the rates on account of wells or cisterns on premises supplied with city water, or on account of any fixtures not being used. If they are not wanted, have a plumber disconnect them from the service pipes, and then the charge for their use will be adjusted by application to the office of the Commissioner.

1426. § 25. Rates are based upon use of water on premises paid for only and for the purposes stated in the contract; therefore, unless a written permission from the Water Commissioner is presented, consumers will not allow water to be taken away from premises or used for building purposes.

1427. § 26. "Public Buildings" are hereby defined as buildings used for public entertainments or amusement or open to the public for business purposes, including stores, office buildings, and any building occupied by promiscuous tenants. "Public Closets" are water closets placed in public buildings as above described.

1428. § 27. Hose larger than $\frac{3}{4}$ of an inch will not be allowed except upon additional charge therefor, and sprinkling without a nozzle or with a larger opening than $\frac{1}{4}$ of an inch is forbidden. For washing buggies and carriages, $\frac{1}{8}$ of an inch only is permitted.

1429. § 28. Sprinkling must be only done upon premises paid for. In no case will it be allowed to leave water running upon lawns by fastening hose to trees, or other arrangements for that purpose, and employes are hereby directed to turn off the water whenever any waste is discovered. Converting hose into jets for the amusement of either adults or children, adjusting hose upon temporary or fixed supports, or devices of any kind, arranged to sprinkle automatically, will be regarded as fountains, and be subject to such additional charges as may be deemed sufficient for such extravagant use of the water.

1430. § 29. It shall be unlawful for any person within said city to sprinkle, eject, or throw water from any private or public sprinkler, washer, or hydrant, upon any public street, lane, or alley, or any yard, garden, or enclosure, or permit or cause the same to be done, nor upon or against any building situated upon such street, lane, or alley, except for the extinguishment of fires and ordinary house cleaning, except between the hours of 6 and 8 P. M. of each day. It shall also be unlawful for any person having a sprinkler, washer, or hydrant on or in front of his premises, to use more than $\frac{1}{4}$ inch nozzle or its equivalent in cross-section or revolving sprinklers for each opening for sprinkling lawn or street, or to sprinkle, eject, or throw water on or in front of the premises of any other person, or to permit or cause the same to be done, except for the extinguishment of fire: *Provided*, That none of the provisions of this section shall be construed to apply to any person using a metered water service in connection with the city water works, and any person violating any of the provisions of this section, except as herein exempted, shall, upon conviction thereof, be fined in any sum not exceeding ten dollars, and stand committed until such fine and costs are paid.

1431. § 30. It shall be unlawful for any person to leave water running from any hose, sprinkler, hydrant, or fixture, of which he is the owner or over which he has charge, at any hour of the day or night, subject only to the exceptions in this ordinance provided, and any person, upon the conviction of the vio-

lation of the provisions of this section, shall be fined in any sum not exceeding ten dollars, and stand committed until such fine and costs are paid.

1432. § 31. It shall be unlawful for any person to sprinkle, eject, or throw water from any public or private hydrant, washer, or sprinkler, or operate hydraulic elevator connected with the water works within said city while any building is on fire and in process of extinguishment, unless the same be for the purpose of extinguishing or preventing the spread of such fire, and any person convicted of the violation of any of the provisions of this section shall be fined in any sum not exceeding twenty-five dollars, and stand committed until such fine and costs are paid.

1433. § 32. Sprinkling must be confined to the property or front for which application is made; $\frac{1}{4}$ opening two hours per day; 6 o'clock to 8 o'clock P. M., from April 1st to November 1st each year, at the rate of \$5.00 for each opening, in accordance with the provisions and restrictions of this ordinance. Each lot not exceeding 50 feet front and not exceeding 142 feet in depth shall be considered one lawn service, and as many openings can be had thereon as the owner may desire by paying the rate herein prescribed: *Providing*, That in each case the person, company, or corporation has more than one lot in the same premises which is vacant, or has but one house with one single water service thereon, then in that case the owner can use as many openings as he contracts for at the rate of \$5 for each opening used, but to authorize more than one opening, application must be made therefor and the number of openings desired stated.

1434. § 33. And all rates for such service as may be rendered without meter are hereby declared to be annual rates, unless otherwise specified, but the same shall be due and must be paid semi-annually, in advance, on the fifteenth days of May and November, at the office of the Water Commissioner, and if not paid within fifteen days after the same becomes due, ten per cent of the bill shall be added thereto as expense of collecting the same.

1435. § 34. The following is established as the tariff of water

rates to consumers from the water works of the city of Lincoln, to-wit :

Banks, including one wash basin, \$8 to \$10 per annum.

Bakeries, average daily use for each barrel of flour, \$3.50 per annum.

Bakeries, average daily use for more than six barrels per day, meter.

Barber shop, one chair, \$4 per annum.

Barber shop, each additional chair, \$2 per annum.

Bath house, public, per tub, \$6 to \$12 per annum.

Bath room, private, per tub, \$3 per annum.

Bath room, private, each additional tub, \$2 per annum.

Blacksmith shop, one fire, \$3 per annum.

Blacksmith shop, each additional fire, \$1.50 per annum.

Brewers and distillers, special rate.

Billiard or pool room, one table, \$5 per annum.

Billiard or pool room, each additional table, where billiard or pool tables are used in a saloon, each table, \$1.50 per annum.

Butcher shop, \$6 to \$10 per annum.

Book bindery, \$8 to \$12 per annum.

Bar and drinking saloon, \$10 to \$20 per annum.

Building purposes:

Brick work, per 1000, 10 cents per annum.

Perch of stone, $16\frac{1}{2}$ cubic feet, 5 cents per annum.

Plastering, per 100 yards, 25 cents per annum.

Concrete, per cubic yard, 5 cents per annum.

Club rooms and society rooms, \$6 per annum.

Candy manufactories, \$8 to \$25 per annum.

Cigar manufactories, five hands or less, \$5 per annum.

Cigar manufactories, each additional hand, \$1 per annum.

Dwelling houses occupied by one family, including one wash basin, 8 rooms or less, \$6 per annum.

Dwelling house, each additional room, 75 cents per annum.

Each additional family occupying same dwelling, rated as above.

Dye houses and renovating establishments, \$10 to \$25 per annum.

Eating saloons or restaurants, \$10 to \$25 per annum.

Fountains flowing not exceeding six hours per day, according to size of orifice. No permit for less than six months.

1-16 inch disk to be placed in branch pipe, per month, 50 cents.

1-8 inch disk to be placed in branch pipe, per month, \$1.

3-16 inch disk to be placed in branch pipe, per month, \$2.

1-4 inch disk to be placed in branch pipe, per month, \$4.

5-16 inch disk to be placed in branch pipe, per month, \$8.

Inside fountains flowing not exceeding 12 hours per day, add 50 per cent to above rates.

Filling private cisterns, furnishing water only, \$1.

Filling baptisteries, water only, each time, \$1.

Hotels and boarding houses not exceeding ten rooms, \$10.

Each additional room up to thirteen, \$1.

Each additional room over thirteen, 75 cents.

Hydraulic pumps, \$5.

Laundries, \$10 to \$25.

Offices and sleeping rooms, including wash basin, \$2 to \$6.

Offices and sleeping rooms, without wash basin, \$1 to \$3.

Printing offices, engines extra, \$6 to \$40.

Photograph galleries, \$10 to \$30.

Sprinkling to center of street by hose, including washing store fronts and sidewalks, twenty-five feet front or less, \$3.

Sprinkling lawns or gardens at residences per $\frac{1}{4}$ opening, per season, April 1 to November 1 (no lawn permit for less than \$5 nor more than two hours a day), \$5.

Sprinkling street with wagon, per month per block, \$2.50.

Stables, including livery, dray, team, street car and all public barns, and washing cars, carriages, drays, harness, etc, belonging to the same up to twenty stalls, per annum per stall, \$2.

Each additional one over twenty stalls, \$1.50.

Stables, private, including washing carriage, one stall, \$2.50.

Two stalls, \$4.

Each additional stall, \$1.

Steam engines, per horse power, for ten hours' service per day :

From one to twenty horse power, each horse power per annum, \$3.

From twenty to forty horse power, each horse power per annum, \$2.75.

From forty to sixty horse power, each horse power per annum, \$2.50.

From sixty to eighty horse power, each horse power per annum, \$2.25.

From eighty to one hundred horse power, each horse power per annum, \$2.

From one hundred to one hundred and twenty-five horse power, each horse power per annum, \$1.75.

From one hundred and twenty-five and upwards, each horse power per annum, \$1.50.

Steam boiler for heating, etc., in streets, halls, and all public buildings, each foot of radiation, per annum, $\frac{1}{2}$ cent.

In private residences, per foot of radiation, $\frac{1}{4}$ cent.

Hot water boiler, for heating purpose, public or private, per foot of radiation, $\frac{1}{8}$ cent.

(No deduction for summer months.)

Tobacco manufactory, five hands or less, \$5.

Each additional hand, \$1.

Tumbler washers, per month, \$3.

Urinals, with constant flow, \$10.

Urinals, private, self closing, \$3.50.

Wash basins (stationary), each, \$1.

Water wagons, per load of 300 gallons, 10 cents.

Water closets in public houses, per bowl, \$5.

Water closets in private houses, per bowl, \$2.50.

Each additional bowl, \$1.50.

All other closets shall be rated as public.

Workshop, ten persons or under, \$5.

Each additional person, 25 cents.

Telegraph offices, \$10 to \$25.

WATERING DOWN TRENCHES.

Trenches, two feet wide or less, for every foot in depth, per lineal foot, $\frac{1}{4}$ cent.

Trenches, two feet wide, not more than three feet in depth, $\frac{3}{8}$ cent.

Trenches, three feet wide, not more than four feet in depth, $\frac{1}{2}$ cent.

Wider trenches in proportion to above rates.

Plumbers introducing water to abutting lots to flush their trenches, free.

Meters for church organs, for church purposes only, per year, \$50.

All service not enumerated in the foregoing tariff water rates will be subject to special rates, or meter rates, and the right is reserved to amend or change this tariff of water rates as experience may prove necessary and proper.

METERS.

1436. § 35. The city of Lincoln reserves the right to require the setting of a meter of improved kind, approved by the Water Commissioner and Water Committee, upon the water service of any or all public buildings, and also upon the service of any customer of the water works, whenever the Mayor and Council are satisfied from inspection or otherwise that the quantity of water used on said service is excessive of the schedule, or that extravagant uses of the water supply is made, or for violation of this ordinance, and if the customer shall refuse or neglect to set such meter as above required within fifteen days after notice so to do, duly served by the Water Commissioner or an employe upon him, (or his agent in case of a non-resident,) then the Water Commissioner shall shut off the water service of such customer until the terms of the notice have been complied with, and all arrearages and expenses connected with the case have been paid.

1437. § 36. The city to clean, repair and test said meters free of expense to owner, with the exception of new parts neces-

sary to put meter in good order, the cost price of same to be charged to owner. The department to furnish approved meter to customer at cost price, when requested.

1438. § 37. Any plumber or person who shall have obtained proper authority to set a water meter or register for the use of elevators, or any other purpose, shall first obtain from the Water Commissioner approval of same, and shall attach an approved stop-cock in front and rear of proper meter unions attached to meter, attached with lead connection of proper length, weight, and size to admit of sufficient waver to connect the various meters approved. All of which to be done to the satisfaction of the Water Commissioner.

1439. § 38. Water rents by meter shall be due and payable upon the first day of each calender month. If not paid on or before the 10th day of each month, five per cent of the bill shall be added thereto as expense of collecting, and if the said rent, charges, and penalty is not paid the water shall be shut off and shall not be turned on until all back rent, charges, and penalties are paid, including the payment of \$1 as expenses of shutting it off and turning it on.

1440. § 39. The meter rate or charge for water furnished by the city shall be:

6,000 gallons per day, or less, 15 cents per 1,000 gallons; all over 6,000, 13 cents per 1,000 gallons: *Providing*, That no connection be made for less than 50 cents per month: *Provided*, That churches, colleges, schools, hospitals, public and private, per 1,000 gallons, 10 cents: *Provided further*, That wholesale houses with water balance elevators, news and printing offices, hotels, restaurants, livery stables, steam railroads, laundries, bakeries, saloons, electric car line, gas company, electric light company, and all public buildings where the schedule rate equals or exceeds \$60 per annum, 1,000 gallons, 10 cents.

Sprinkling or lawn service, separate from other use, 1,000 gallons, 10 cents.

Any service where the annual schedule rate equals or exceeds \$20 and less than \$60 per annum, 1,000 gallons, 13 cents.

1441. § 40. The amounts charged for all water rents, together with all other charges and penalties, shall be and hereby is declared to be a lien upon the property where the same is furnished from the time same became due until paid.

1442. § 41. The right is reserved to amend, add to, or revise these rules and regulations as experience may dictate.

§ 42. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 43. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Introduced by Councilman H. B. Sawyer.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

AN ORDINANCE to establish a standard of weights and measures and to regulate weights and measures in the city of Lincoln, creating the office of Superintendent of Weights, defining the duties and fixing the compensation of said officer, prescribing penalties for the violation of this ordinance, and repealing ordinances in conflict herewith.

Be it ordained by the Mayor and Council of the City of Lincoln:

ARTICLE LXXII.

Weights and Measures.

The standard weights of the state of Nebraska shall be the standard of weights throughout the city of Lincoln.

1443. § 1. All contracts hereafter made within the city for anything to be sold by weight, shall be taken and construed according to the standard of weight hereby adopted as the standard of the city.

1444. § 2. A bushel of the respective articles hereinafter mentioned will mean the amount of weight in this section specified, that is to say:

Apples, dried, per bushel.....	24 pounds
Barley, per bushel.....	48 pounds
Beans, castor, per bushel.....	46 pounds
Beans, white, per bushel.....	60 pounds
Bran, per bushel	20 pounds
Buckwheat, per bushel	32 pounds
Coal, stone, per bushel	80 pounds

Corn, ear, per bushel.....	70 pounds
Corn, shelled, per bushel.....	56 pounds
Hair, for plastering, per bushel.....	8 pounds
Lime, unslaked, per bushel.....	80 pounds
Malt, barley, per bushel	30 pounds
Oats, per bushel.....	34 pounds
Onions, per bushel	57 pounds
Onions, sets, per bushel.....	25 pounds
Peaches, dried, per bushel.....	33 pounds
Potatoes, Irish, per bushel	60 pounds
Potatoes, sweet, per bushel.....	50 pounds
Peas, per bushel.....	60 pounds
Rye, per bushel.....	56 pounds
Seeds, blue grass, per bushel.....	14 pounds
Seeds, clover, per bushel.....	60 pounds
Seeds, flax, per bushel.....	56 pounds
Seeds, hemp, per bushel	44 pounds
Seeds, Hungarian, per bushel	60 pounds
Seeds, millet, per bushel	40 pounds
Seeds, osage orange, per bushel	44 pounds
Seeds, sorghum, per bushel.....	30 pounds
Seeds, timothy, per bushel	45 pounds
Salt, per bushel.. ..	50 pounds
Turnips, per bushel.....	55 pounds
Wheat, per bushel.....	60 pounds

1445. § 3. All persons keeping public scales, before entering upon their duties as weighmaster, shall obtain a license therefor from the Clerk of said city, under the seal thereof, and pay to the Treasurer of said city ten dollars therefor, which license shall not be issued for a term exceeding one year. They shall also take and subscribe an oath to keep their scales correctly balanced, to make true weights, and to render correct account to the person or persons having weighing done, and file said oath with the City Clerk; and it shall be deemed unlawful under the provisions of this ordinance to weigh for hire without first procuring a license herein provided for. Every scale shall be deemed a public one

for the use of which charge is made: *Provided*, No license shall be issued under the provisions of this ordinance to any one whose scales are or hereafter may be situated in any of the streets or alleys of the city.

1446. § 4. All weighmasters are required to make true weights and to keep a correct register of all weighing done by them, giving the amount of each weight, date of weighing, and the name of the person or persons for whom each weighing was done, and to give upon demand to any person or persons having weighing done, a certificate showing the weight, date of weighing, and for whom weighed.

1447. § 5. Weighmasters or keepers of public scales kept for the purpose of weighing stock, grain, or other merchandise, shall provide and keep a standard weight of not less than fifty pounds avoirdupois, for the purpose of testing such scales, and they shall at least once per month, or oftener if required, or at any time at the request of the Sealer of Weights and Measures, make a satisfactory test of the correctness of such scales.

1448. § 6. Any weighmaster or keeper of public scales violating any of the provisions of the three preceding sections, shall, upon conviction thereof, be fined in any sum not exceeding twenty dollars nor less than five dollars, for each offense, and imprisoned in the jail of said city until such fine and costs are paid or secured, and shall be liable to the person or persons injured for the full amount of damage by them sustained.

§ 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 8. This ordinance shall take effect and be in force from and after the expiration of one week after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

F. A. GRAHAM, *Mayor*.

STATE OF NEBRASKA, }
 COUNTY OF LANCASTER. } ss.

I, J. W. Bowen, Clerk of the city of Lincoln, do hereby certify that the above and foregoing ordinances are full, true and complete copies of the originals of ordinances bearing same titles passed by the City Council of the city of Lincoln August 26, A. D. 1895, and approved by the Mayor of said city August 26, A. D. 1895.

I further certify that the original ordinances of which the foregoing are certified copies, are by law intrusted to my custody for safe keeping and are on file in my office.

Witness my hand and corporate seal of said city this 26th day of August, A. D. 1895.

[SEAL.]

J. W. BOWEN, *City Clerk.*

CERTIFICATE OF PUBLICATION.

STATE OF NEBRASKA, }
 COUNTY OF LANCASTER. } ss.

I, A. H. Mendenhall, being first duly sworn, on oath say that I am the chief business manager of the State Journal Company, a printing and publishing company in the city of Lincoln, in said county and state; that the above and foregoing ordinances of the city of Lincoln were each of them printed and published in book and pamphlet form in the city of Lincoln, in pursuance of the provisions of the statutes of the state of Nebraska and the ordinances of the city of Lincoln, and by the order and under the authority of the city of Lincoln, by said State Journal Company on the 26th day of August, A. D. 1895, and duly delivered to the Clerk of said city.

A. H. MENDENHALL.

Subscribed in my presence and sworn to before me this 26th day of August, A. D. 1895,

[SEAL.]

P. F. GREENE, *Notary Public.*

PART THREE.

Special Ordinances of the City of Lincoln.



ARTICLE I.

Funding Bonds.

AN ORDINANCE to bond the floating debt of the city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1450. § 1. That for the purpose of bonding the floating indebtedness of the city of Lincoln, the Mayor shall immediately procure to be printed, lithographed, or engraved, a sufficient number of the bonds herein provided for.

§ 2. Such bonds shall be of the denomination of five hundred dollars each. They shall bear date of the first day of July, 1875. One half of said bonds, to wit, bonds to the par value of twenty-seven thousand dollars, shall be payable ten years from date, with interest at the rate of ten per cent per annum, payable semi-annually, both principal and interest payable at the National Park Bank, in the city of New York. An equal number and value of said bonds shall be payable twenty years from date, with interest at the rate of ten per cent per annum, payable semi-annually, both principal and interest payable at the National Park Bank, in the city of New York. They shall be substantially in the ordinary form of municipal bonds, binding the city of Lincoln to pay to the bearer the sum mentioned therein, and reciting that they are issued pursuant to the provisions of section four of chapter nine of the Revised Statutes of Nebraska, entitled "cities of the second class," and of this ordinance passed in conformity thereto. They shall have coupons of interest warrants in the usual form attached thereto for the payment of the interest semi-annually, on the first day of January and July in each year, payable at the National Park Bank, New York. The bonds and coupons shall be signed by the Mayor and City Clerk, and the bonds shall have the seal of the city thereon.

§ 3. Before the City Clerk shall place the seal of the city upon the said bonds, the Mayor shall make and execute a bond

to the city, with security approved by the Council, in the sum of fifty thousand dollars, conditioned for the faithful performance of the duties imposed upon him by the provisions of this ordinance, and the faithful payment of all moneys which shall come into his hands, or under his control, as the proceeds of the sale of any of said bonds.

§ 4. Upon the approval of the bond and sureties mentioned in the last preceding section, the Mayor shall be authorized, and it is hereby made his duty, to sell and dispose of the said bonds for cash in hand at the best price which he can obtain therefor, and within the limit provided by the statutes of this state: *Provided*, That before offering any such bonds for sale, the said Mayor shall cause all of such bonds to be duly registered according to the laws of Nebraska.

§ 5. The Mayor is hereby authorized to prepare and cause to be printed in pamphlet form a brief statement to accompany said bonds, showing the population, value of taxable property, and the present indebtedness of the city, to be accompanied by a copy of this ordinance, the section of the statute authorizing cities of the second class to fund their indebtedness, and such other matter as the said Mayor may deem necessary and advisable.

§ 6. It may be the duty of the Mayor to pay over to the City Treasurer all moneys received by him for or on account of the sale of any portion of said bonds, taking his receipt therefor in duplicate—one of which he shall forthwith deliver to the City Clerk, who shall file and keep the same in his office.

§ 7. It shall be the duty of the City Treasurer to pay out all moneys received by him from the Mayor under the foregoing provisions in like manner and in the same order as such Treasurer is required by law to pay out money in the redemption and payment of city warrants.

§ 8. This ordinance shall take effect and be in force after its passage and publication.

Approved June 19, 1875. Rev. Ord. 1887, p. 18.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city as expressed at a special election called by an ordinance approved April 6, 1882.

1451. WHEREAS, At a special election held in the city of Lincoln, on the 6th day of May, 1882, to vote upon a proposition submitted by an ordinance entitled, "An ordinance calling a special election in the city of Lincoln, for the purpose of enabling

the legal voters of said city to vote upon a proposition to issue and sell the bonds of said city, for the purpose of paying the bonds of said city, due the first day of April, 1882, and the first day of September, 1882, to the amount of twenty-nine thousand five hundred dollars," approved April 6, 1882, and published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all the votes cast at said election; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of five hundred dollars each, to the amount of twenty-nine thousand five hundred dollars, payable to bearer twenty years after date, and redeemable at the pleasure of said city at any time after ten years. Said bonds shall bear interest at the rate of six per cent, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bond for one year. One of said coupons shall be made payable each year during the time to run of said bonds. The principal and interest on said bonds shall be payable at the office of the City Treasurer of said city of Lincoln.

§ 2. The said bonds and the attached coupons shall each be signed by the mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

Passed May 15, 1882. Approved May 16, 1882. Published May 18, 1882.

NOTE.—The bonds which were redeemed by the proceeds of the bonds provided for in this ordinance, are those known as "fire bonds," for \$20,000, and due April 1st, 1882; also bonds issued to the Atchison & Nebraska Railroad Company, for the sum of \$9,700, and falling due September 1st, 1882.

AN ORDINANCE calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$52,000, to fund the outstanding, maturing, and redeemable bonded indebtedness of said city.

1452. WHEREAS, \$25,000 of the bonds of the city of Lincoln, issued in aid of the Lincoln & Northwestern Railroad Company,

of the date of January 1, 1880, drawing interest at the rate of 8 per cent, are now redeemable; and

WHEREAS, \$27,000 of the bonds of the city of Lincoln, issued to fund the floating indebtedness of said city, of the date of July 1, 1875, will mature and become payable on the 1st day of July, 1885: now, therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

§ 1. That a special election is hereby called to be held at the respective voting places, in the several wards of the city of Lincoln, on the 30th day of June, 1885, for the purpose of enabling the legal voters of the said city to vote upon the following proposition: Shall the Mayor and Councilmen of the city of Lincoln be authorized to issue the coupon bonds of the city of Lincoln in the amount of (\$52,000) fifty-two thousand dollars, in the denomination of five hundred dollars each, payable to bearer twenty years after date, and redeemable at the pleasure of the said city at any time after five years from their date, said bonds to be dated on the day of their delivery, and to draw interest from date not to exceed 6 per cent per annum, payable semi-annually.

Interest and principal payable at the fiscal agency of the state of Nebraska, in the city of New York, the proceeds of \$25,000 of said bonds so to be issued to be used in redeeming \$25,000 of bonds issued in aid of the Lincoln & Northwestern Railroad Company, and bearing date January 1, 1880; and the proceeds of \$27,000.00 of said bonds to be used in refunding \$27,000.00 of the bonded indebtedness of the city of Lincoln, issued by said city to fund the floating indebtedness of the city of Lincoln, and dated July 1, 1875, and maturing July 1, 1885; and shall the Mayor and Council of said city levy the necessary tax on the taxable property of said city in addition to all other taxes to pay the interest on said bonds as they become due and payable, and to provide a sinking fund for payment of said bonds as they mature.

§ 2. The ballot cast at such election shall have written or printed thereon, or partly written and partly printed thereon, the words, "Funding bonds and tax; yes;" or "funding bonds and tax; no."

§ 3. Should a two-thirds majority of the ballots cast at such election upon said proposition, have written or printed thereon, the words, "funding bonds and tax; yes;" then the Mayor and

Council will be regarded as authorized to issue and negotiate said bonds according to the conditions and for the purposes specified in the foregoing proposition, and it shall be the duty of the Mayor and Clerk of said city to sign and attest said bonds and affix thereto the seal of said city, when thereunto duly authorized by ordinance.

§ 4. The proceeds of the sale of said bonds shall immediately upon the receipt thereof be paid to the Treasurer of said city of Lincoln, and shall be kept by him separate and apart from the other moneys belonging to said city, and shall be drawn upon for the purposes hereinbefore specified, and no others.

§ 5. The proposition contained in this ordinance shall be published for at least four weeks in the *Nebraska State Journal*, a newspaper published and of general circulation in said city, and the polls at said election shall be opened at 9 o'clock in the forenoon and continued open until 7 o'clock in the afternoon.

§ 6. This ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

Approved June 8, 1885.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city, as expressed at a special election called by an ordinance approved June 8, 1885.

1453. WHEREAS, At a special election held in the city of Lincoln on the 30th day of June, 1885, to vote upon a proposition submitted by an ordinance entitled "An ordinance calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$52,000, to fund the outstanding, maturing, and redeemable bonded indebtedness of said city," approved June 8, 1885, and published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all votes cast at said election; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

§ 1. That the city of Lincoln be and hereby is authorized to issue coupon bonds in denominations of \$500 each to the amount of \$52,000, payable to the bearer twenty years after date, and

redeemable at the pleasure of the city at any time after five years from their date, said bonds to be dated on the 1st day of July, 1885, and to draw interest from date at five and one-half per cent per annum, payable semi-annually, interest and principal payable at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. The said bonds and attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln.

§ 3. This ordinance shall take effect and be in force from and after its passage and approval according to law.

Passed July 1, 1885. Approved July 1, 1885.

AN ORDINANCE calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$52,000, to fund the outstanding, matured, and redeemable bonded indebtedness of said city.

1454. WHEREAS, \$25,000 of the bonds of the city of Lincoln, issued in aid of the Lincoln & Northwestern Railroad Company, of the date of January 1, 1880, drawing interest at the rate of eight per cent, are now redeemable; and

WHEREAS, \$27,000 of the bonds of the city of Lincoln, issued to fund the floating indebtedness of the said city of the date of July 1, 1875, became due and payable on the first day of July, 1884: now, therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That a special election is hereby called to be held at the respective voting places in the several wards of the city of Lincoln on the fifth day of September, 1885, for the purpose of enabling the voters of said city to vote upon the following proposition: "Shall the Mayor and Councilmen of the city of Lincoln be authorized to issue the coupon bonds of the city of Lincoln in the amount of fifty-two thousand dollars (\$52,000) in the denomination of one thousand dollars each, payable to bearer twenty years after date, and redeemable at the pleasure of the said city at any time after five years from their date, said bonds to be dated on the day of their delivery, and to draw interest from date not exceeding six per cent per annum, payable semi-annually, interest and principal payable at the fiscal agency of the state of Nebraska, in the city of New York, the proceeds of \$25,000 of said bonds to be issued, to be used in redeeming \$25,000 of bonds issued in aid of the Lincoln & Northwestern

Railway Company, and bearing date January 1, 1880 ; and the proceeds of \$27,000 of said bonds to be used in refunding \$27,000 of the bonded indebtedness of the city of Lincoln, issued by the said city to fund the floating indebtedness of the city of Lincoln, and dated July 1, 1875, and maturing July 1, 1885 ; and shall the Mayor and Council of said city levy the necessary tax on the taxable property of the said city in addition to all other taxes to pay the interest on the said bonds as the same becomes due and payable, and to provide a sinking fund for the payment of the said bonds as they mature?"

§ 2. The ballots cast at such election shall have written or printed thereon, or partly written or partly printed thereon, the words, "Funding bonds and tax; yes;" or "Funding bonds and tax; no."

§ 3. Should a two-thirds majority of the ballots cast at such election upon said proposition have written or printed thereon the words, "Refunding bonds and tax; yes;" then the Mayor and Council will be regarded as authorized to issue and negotiate said bonds according to the conditions and for the purposes specified in the foregoing proposition, and it shall be the duty of the Mayor and Clerk of said city to sign and attest said bonds and affix thereon the seal of said city, when thereupon duly authorized by ordinance.

§ 4. The proceeds of the sale of said bonds shall immediately upon receipt thereof be paid to the Treasurer of said city of Lincoln, and shall be kept by him separate and apart from the other moneys belonging to said city, and shall be drawn upon for the purposes hereinbefore specified, and no others.

§ 5. The proposition contained in this ordinance shall be published in four issues of the *Nebraska Free-Trader*, a weekly newspaper published and of general circulation in said city, and the polls at said election shall be opened at nine o'clock in the forenoon and continue open till seven o'clock in the afternoon.

§ 6. This ordinance shall take effect and be in force from and after its approval and publication as provided by law.

Approved August 13, 1885.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instructions of the legal voters of said city as expressed at a special election called by an ordinance approved August 13, 1885.

1455. WHEREAS, At a special election held in the city of Lincoln on the fifth day of September, A. D. 1885, to vote upon a proposition submitted by an ordinance entitled "An or-

dinance calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$52,000, to fund the outstanding, matured, and redeemable bonded indebtedness of said city," approved August 13, 1885, was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election, that the proposition submitted by said ordinance was carried by a two-thirds majority of all votes cast at said election; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds, in denominations of \$1,000 each, to the amount of \$27,000, payable to bearer twenty years after date, and redeemable at the pleasure of said city at any time after five years from their date, said bonds to be dated on the 1st day of April, 1886, and to draw interest from date at five and one-half per cent per annum, payable semi-annually, interest and principal payable at the fiscal agency of the state of Nebraska, in the city of New York.

§ 2. The said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be force from and after its passage, approval, and publication according to law.

Passed March 29, 1886. Approved March 31, 1886.

AN ORDINANCE for the refunding of twenty-five thousand dollars (\$25,000) of bonds issued January 1, 1880, to the Lincoln & Northwestern Railroad Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1456. § 1. That under the provisions of an act entitled "An act to amend sections 11, 12, and 13, of chapter 45 of the Compiled Statutes of 1881, entitled internal improvements," and to repeal said sections, the city of Lincoln be and is hereby authorized to issue fifty coupon bonds, bearing date the 20th day of December, A. D. 1885, in denomination of five hundred (\$500) dollars each, to the amount of twenty-five thousand (\$25,000) dollars, payable to bearer twenty years after date, and redeem-

able at the pleasure of said city at any time after five years from date, for the purpose of refunding twenty-five bonds of the said city of Lincoln, of the denomination of one thousand (\$1,000) dollars each, issued January 1, 1880, to the Lincoln & Northwestern Railroad Company, and payable at the pleasure of said city after January 1, 1885. Said refunding bonds shall bear interest at the rate of five and one-half per cent per annum, payable semi-annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bonds for one-half year; principal and interest of said bonds to be payable at the Kountze Brothers Bank, in New York City, and one of said coupons to be made payable at the expiration of each half year during the said twenty years.

§ 2. The said bonds shall be signed by the mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln, and the attached coupons shall be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed November 16, 1885. Approved November 20, 1885.

AN ORDINANCE for the refunding of thirty thousand dollars of bonds issued October 1, 1872, under "An ordinance to provide for funding the outstanding indebtedness of the city of Lincoln, approved August 20, 1872, as amended and approved November 23, 1872."

Be it ordained by the Mayor and Council of the City of Lincoln:

1457. § 1. That under the provisions of "An act to incorporate cities of the first class having less than 60,000 inhabitants, and regulating their duties, powers, and government," the city of Lincoln be and is hereby authorized to issue thirty coupon bonds, bearing date October 1, 1887, in denominations of one thousand dollars each, to the amount of thirty thousand dollars, (\$30,000,) payable to bearer fifteen years after date, and redeemable at the option of the city at any time after five years from date, for the purpose of the refunding of thirty thousand dollars (\$30,000) of bonds issued October 1, 1872, under "An ordinance to provide for funding the outstanding indebtedness of the city of Lincoln, approved August 20, 1872, as amended and approved November 23, 1872." The said refunding bonds shall state the purpose for which they are issued, and shall bear interest at the rate of five and one-half per cent per annum, payable semi-annually, which

interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bonds for one-half year, principal and interest of said bonds to be payable at the fiscal agency of the state of Nebraska, in the city of New York, and one of said coupons to be made payable at the expiration of each half year during the said fifteen years, and said bonds and coupons shall be signed by the Mayor and attested by the Clerk, with the seal of the said city affixed thereto.

§ 2. A tax shall be levied on all the taxable property in the said city of Lincoln, in addition to other taxes, sufficient to pay said bonds at their maturity, and the interest coupons thereto attached as the same shall respectively become due, which tax shall be paid in cash only.

§ 3. As soon as the said bonds shall be prepared and signed in accordance with the provisions of this ordinance, they shall be deposited with the City Treasurer, who shall receipt to the City Clerk for the same, and it shall be the duty of the said Treasurer to sell or exchange the said bonds in sums of not less than one thousand dollars for cash, or for the bonds of the said city so to be refunded and that were issued in pursuance of said ordinance approved November 23, 1872, but at not less than par. All bonds so exchanged or redeemed in cash from the proceeds of the sale of bonds sold for cash shall be canceled and so marked with red ink across the face, giving date of said canceling and the number of the bond issued therefor, and deliver all bonds so redeemed and canceled to the City Clerk, taking his receipt for the same.

§ 4. The City Treasurer shall report to the Mayor and City Council at each regular meeting of the Council, the amount of bonds issued under the provisions of this ordinance, to whom the same have been sold or exchanged, and what bonds have been redeemed and canceled in lieu of said bonds.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law

Approved September 19, 1887.

AN ORDINANCE calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$90,000 to fund outstanding and bonded indebtedness of said city.

1458. WHEREAS, The costs of the paving of streets in front of school and church property in the several paving districts of

the city, was by the city provided for by special assessment against said property the same as against other property in said city, and it has now been held by the Supreme Court of this state that such property is not subject to such assessment; and

WHEREAS, District paving bonds have been issued and sold for the purpose of paying the original cost of such paving, and it now appears that the assessment made for the purpose of paying said bonds will not be paid; that the amount so assessed, and against which bonds were issued, is \$68,896.93, which with interest to January 1st, 1894, will amount to the sum of \$76,328.62.

WHEREAS, It was expected that the general government of the United States would pay for one-half of the cost of paving around the government square, and for that reason no provisions have been made for the payment thereof; that the costs thereof amount to the sum of \$8,809.26, which with interest thereon to January 1st, 1894, will amount to the sum of \$10,529.26.

WHEREAS, On the first day of October, 1893, there became due to the Gaynor Electric Company the sum of \$3066.66, being a part of the cost of the fire alarm system now in use by the city, which with interest thereon to January 1st, 1894, will amount to the sum of \$3,142.12:

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1459. § 1. That a special election is hereby called to be held in the city of Lincoln, Nebraska, on the 7th day of November, 1893, at the places hereinafter specified in the several election precincts of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit: Shall the Mayor and City Council of the city of Lincoln, Nebraska, have power and authority to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding ninety thousand dollars, to be used for the purpose of funding the outstanding and bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due.

§ 2. The bonds proposed by the above proposition shall be known as "funding bonds of the city of Lincoln," shall draw interest at the rate of 6 per cent per annum from the date of their delivery, payable annually at the fiscal agency of the state

of Nebraska in the city of New York; said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer twenty years after date, redeemable at the option of said city at any time after ten years from their date, and shall bear date January 1st, 1894.

§ 3. The vote upon said proposition shall be had and taken at the several places in said city where the general election is held on said day, and the judges and clerks of said general election shall be the judges and clerks of the election hereby called; that the rules and regulation of said general election shall be applicable to this election so far as the same are applicable.

§ 4. It is hereby made the duty of the judges and clerks of said general election to canvass the votes on this proposition, and make return thereon, in the manner provided by law for the canvass and return of votes cast at a general city election, and the Mayor and City Council shall canvass the returns of this election in the same manner as provided by law for the canvass of election returns for a general city election in said city.

§ 5. All ballots voted at said election shall have written or printed, or partly written or printed thereon, the words "Shall the Mayor and Council of the city of Lincoln, Nebraska, have power to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding ninety thousand dollars, to be used for the purpose of funding the outstanding and bonded indebtedness of said city, and to levy a tax upon all the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due. Yes;" or "Shall the Mayor and Council of the city of Lincoln, Nebraska, have the power to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding ninety thousand dollars, to be used for the purpose of funding the outstanding and bonded indebtedness of said city, and to levy a tax upon all the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due. No."

§ 6. Should the majority of the ballots cast at said election be for said proposition, the Mayor and Council shall have the power to issue and sell said bonds, and levy such tax for the purpose and upon the condition specified in this ordinance.

§ 7. The proposition herein submitted for the issuance of such bonds and the levying of the tax herein provided for shall be pub-

lished for at least four weeks in a newspaper published and of general circulation in said city.

§ 8. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 3, 1893. Approved October 7, 1893. Published in *Call* October 7, 1893.]

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instructions of the legal voters of said city, as expressed at a special election called by an ordinance approved October 7, 1893.

1460. WHEREAS, At a special election held in the city of Lincoln on the 7th day of November, A. D. 1893, to vote upon a proposition submitted by an ordinance entitled "An ordinance calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the bonds of said city in the sum of \$90,000, to fund outstanding and bonded indebtedness of said city," approved October 7th, 1893, and was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by the requisite majority of votes as provided by law of the votes cast at the said election; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of one thousand dollars each, to the amount of ninety thousand dollars, payable to bearer twenty years after date, and redeemable at the pleasure of said city at any time after ten years. Said bonds shall bear interest at the rate of six per cent, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of the interest on said bond for one year. One of said coupons shall be made payable each year during the time to run of said bonds. The principal and interest shall be payable at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. The said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 3. This ordinance shall be in force and take effect from and after its passage and approval and publication according to law. [Passed December 12, 1893. Approved December 18, 1893. Published in *News*.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of funding certain valid existing indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held November 7, 1893.

WHEREAS, By vote of the people at a special election duly called and held in the city of Lincoln on the 7th day of November, 1893, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ninety thousand dollars, to be used for the purpose of funding the outstanding and bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of funding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to \$90,000.00, there be issued the negotiable bonds of said city in the sum of \$90,000.00 as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars (\$1,000.00) each, numbered consecutively from 1 to 90 inclusive, dated January 1, 1894, and shall become due and payable as follows:

- \$9,000.00 eleven years after date thereof;
- 9,000.00 twelve years after date thereof;
- 9,000.00 thirteen years after date thereof;
- 9,000.00 fourteen years after date thereof;
- 9,000.00 fifteen years after date thereof;
- 9,000.00 sixteen years after date thereof;
- 9,000.00 seventeen years after date thereof;
- 9,000.00 eighteen years after date thereof;
- 9,000.00 nineteen years after date thereof; and
- 9,000.00 twenty years after the date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of six per cent per annum from their date, payable annually, on the first day of January in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same when they shall have been sold and disposed of according to law shall be applied under the direction of the Mayor and Council in funding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed January 30, 1894. Approved February 1, 1894. Published February —, 1894.]

AN ORDINANCE calling a special election in the city of Lincoln, Nebraska, for the purpose of enabling the legal voters of said city to authorize the Mayor and Council of said city to issue the coupon bonds of said city in the sum of five hundred and thirty-four thousand five hundred dollars, to fund the outstanding, maturing, and redeemable bonded indebtedness of said city; and for the levy of an annual tax to pay the interest on such bonds, and also for the levy of such additional tax as will create a sinking fund to pay the principal of such bonds at their maturity.

1461. WHEREAS, Twenty-nine thousand five hundred dollars of the funding bonds of the city of Lincoln, Nebraska, issued for the purpose of redeeming twenty thousand dollars fire bonds of the city, due April 1st, 1882, and nine thousand five hundred dollars of bonds issued to the Atchison & Nebraska Railroad Company, due September 1, 1882, twenty thousand dollars of said bonds are dated July 10, 1882, and nine thousand five hundred dollars of said bonds are dated September 1, 1882, and bear six per cent annual interest, denominations of five hundred dollars each, due in twenty years, and redeemable after ten years from their date, are now redeemable; and

WHEREAS, Ten thousand dollars of water bonds, first series, of the city of Lincoln, Nebraska, issued for construction of public wells and water supply for the city, seven thousand dollars of said bonds are dated May 23, 1882, and three thousand dollars of said bonds are dated May 29, 1884, bearing six per cent annual interest, denominations of five hundred dollars each, due in twenty years from date, and redeemable after five years from their date, are now redeemable; and

WHEREAS, Ten thousand dollars of the water bonds, second series, of the city of Lincoln, Nebraska, issued for providing a water supply for said city, and dated May 29, 1884, bearing six per cent annual interest, denomination of five hundred dollars, due in twenty years and redeemable after five years from their date, are now redeemable; and

WHEREAS, Ninety thousand dollars of the water bonds, third series, of the city of Lincoln, Nebraska, voted by said city on July 11, 1884, for erecting and constructing a system of water works for said city, said bonds draw six per cent annual interest, denomination of five hundred dollars, payable in twenty years, and redeemable after five years from their date, said bonds are dated as follows: Thirty-five thousand dollars November 26, 1884, five thousand dollars December 5, 1884, five thousand dollars December 10, 1884, five thousand dollars December 23, 1884, and forty thousand dollars of said bonds February 24, 1885, are now redeemable; and

WHEREAS, Twenty-five thousand dollars of refunding bonds of the city of Lincoln, Nebraska, issued for refunding twenty-five thousand dollars of the bonds issued to the Lincoln & Northwestern Railroad Company January 1, 1880, bearing date of the twentieth day of December, 1885, denomination of five hundred dollars each, payable in twenty years after date, and redeemable after five years from date, bearing interest at the rate of five and one-half per cent, payable semi-annually, are now redeemable; and

WHEREAS, Eighty thousand dollars of sewer bonds of the city of Lincoln, Nebraska, issued for the purpose of erecting and constructing a system of sewerage in said city, dated September 1, 1886, denomination of one thousand dollars, payable in twenty years and redeemable after five years from their date, bearing five per cent semi-annual interest, are now redeemable; and

WHEREAS, One hundred thousand dollars of paving bonds, first series, of the city of Lincoln, Nebraska, issued for the pur-

pose of paying the costs of paving, repaving, or macadamizing the intersections of streets and alleys in said city, dated July 1, 1887, denomination of one thousand dollars, bearing five per cent interest, payable semi-annually, due in twenty years from date, and redeemable after five years from their date, are now redeemable; and

WHEREAS, Ten thousand dollars of water bonds, fourth series, of the city of Lincoln, Nebraska, issued for the purpose of furnishing a water supply for said city, dated October 15, 1887, denomination of one thousand dollars, five per cent semi-annual interest, payable in twenty years and redeemable after five years from their date, are now redeemable; and

WHEREAS, Thirty thousand dollars of refunding bonds, of the city of Lincoln, Nebraska, issued for the purpose of refunding outstanding bonds of the said city, dated October 1, 1887, denomination of one thousand dollars, bearing five and one-half per cent, semi-annual interest, payable fifteen years after date, and redeemable after five years from their date, are now redeemable; and

WHEREAS, Ten thousand dollars of water bonds, fifth series, of the city of Lincoln, Nebraska, dated July 1, 1888, denomination of one thousand dollars, bearing five per cent semi-annual interest, payable twenty years after date, and redeemable after five years from their date, are now redeemable; and

WHEREAS, One hundred thousand dollars of paving bonds, second series, of the city of Lincoln, Nebraska, issued for the purpose of paying the costs of paving, repaving, or macadamizing the intersections of streets and alleys in said city, dated July 1, 1888, denomination of one thousand dollars, bearing five per cent interest, payable semi-annually, due in twenty years from date, and redeemable after five years from their date, are now redeemable; and

WHEREAS, Twenty-six thousand dollars of the bonds of the city of Lincoln, Nebraska, issued for funding the floating indebtedness of said city, issued July 1, 1875, bearing ten per cent interest, payable semi-annually, due in twenty years, and thirteen thousand dollars of said bonds redeemable in ten years from their date, said bonds of the denomination of five hundred dollars each, and thirteen thousand dollars of said bonds, are now redeemable; and

WHEREAS, Twenty-seven thousand dollars of the bonds of the city of Lincoln, Nebraska, issued for funding the bonded

debt of said city, issued April 1, 1886, bearing five and one-half per cent interest, payable semi-annually, due in twenty years from their date, and redeemable after five years from their date, are now redeemable; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That a special election is hereby called to be held at the respective voting places in the several wards as hereafter stated, in the city of Lincoln, in the county of Lancaster, in the state of Nebraska, on Tuesday, the third day of April, 1894, for the purpose of enabling the legal voters of the said city to vote upon the following proposition: Shall the Mayor and Council of the city of Lincoln, Nebraska, be authorized to issue the coupon bonds of the city of Lincoln, to the amount of five hundred and thirty-four thousand five hundred dollars, in the denominations of five hundred and one thousand dollars each, payable to bearer one-tenth thereof each year after ten years from their date, and all said bonds shall be redeemable at the option of the city at any time after ten years from their date, providing there shall be no tax levied to pay more than the interest upon such bonds until the year before they become due, and then only so much as is needed to meet the bonds maturing the year after, said bonds to be dated June 1, 1894, and to bear interest at the rate of four and three-fourths per cent per annum, payable semi-annually, interest and principal payable at the fiscal agency of the state of Nebraska in the city of New York, said interest to be evidenced by coupons thereto attached, and shall be known as refunding bonds of the city of Lincoln, county of Lancaster, state of Nebraska; and shall the Mayor and Council of said city have power to levy the necessary tax on the taxable property of said city in addition to all other taxes to pay the interest coupons on said bonds as they become due and payable, and to provide a sinking fund for the payment of said bonds as they mature.

§ 2. All ballots voted at said election shall have written or printed, or partly written or printed, thereon the words, "Shall the Mayor and Council of the city of Lincoln, Nebraska, have power to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$534,500.00, to be used for the purpose of refunding the bonded indebtedness of said city now due or redeemable, and to levy a tax upon all taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same

shall become due? Yes;" or "Shall the Mayor and Council of the city of Lincoln, Nebraska, have power to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$534,500.00, to be used for the purpose of refunding the bonded indebtedness of said city now due or redeemable, and to levy a tax upon all taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due? No."

§ 3. Should the majority of the votes cast at said election be for said proposition, the Mayor and Council shall have the power to issue and sell said bonds and levy such tax for the purpose and upon the conditions specified in this ordinance.

§ 4. The proceeds of sale of this issue of bonds shall be used as follows: The proceeds of \$13,000 of said bonds, so to be issued, to be used to refund \$13,000 of bonds issued for funding the floating indebtedness of the city of Lincoln, Nebraska, bearing date of July 1, 1875; and the proceeds of \$29,500 of said bonds to be used to refund \$20,000 of bonds issued for redeeming \$20,000 fire bonds, bearing date of July 10, 1882, and \$9,500 of bonds issued to the Atchison & Nebraska Railroad Company, bearing date of September 1, 1882; and the proceeds of \$10,000 of said bonds to be used to refund \$10,000 of water bonds, first series, issued for furnishing a water supply, \$7,000 of said bonds dated May 23, 1882, and \$3,000 dated May 29, 1884; and the proceeds of \$10,000 of said bonds to be used to refund \$10,000 of water bonds, second series, issued for furnishing water supply, dated May 29, 1884; and the proceeds of \$90,000 of said bonds to be used to refund \$90,000 of water bonds, third series, issued for erecting and constructing a system of water works, and \$35,000 of said bonds bearing date of November 26, 1884, \$5,000 December 5, 1884, \$5,000 December 10, 1884, \$5,000 December 23, 1884, and \$40,000 February 24, 1885; and the proceeds of \$25,000 of said bonds to be used to refund \$25,000 of bonds issued to the Lincoln & North-Western Railroad Company, bearing date of December 20, 1885; and the proceeds of \$80,000 of said bonds to be used to refund \$80,000 of bonds issued for constructing a sewer system, bearing date of September 1, 1886; and the proceeds of \$100,000 of said bonds to be used to refund \$100,000 of paving bonds, first series, issued for the purpose of paving the intersections and spaces opposite alleys, dated July 1, 1887; and the proceeds of \$10,000 of said bonds to be used to refund \$10,000 of water bonds,

fourth series, issued for the purpose of furnishing a water supply, bearing date of October 15, 1887; and the proceeds of \$30,000 of said bonds to be used to refund \$30,000 of refunding bonds, issued for the purpose of refunding outstanding bonds of the city, bearing date October 1, 1887; and the proceeds of \$10,000 of said bonds to be used to refund \$10,000 of water bonds, fifth series, issued for the purpose of furnishing a water supply, bearing date of July 1, 1888; and the proceeds of \$100,000 of said bonds to be used to refund \$100,000 of paving bonds, second series, issued for the purpose of paving the intersections and spaces opposite alleys, bearing date of July 1, 1888; and the proceeds of \$27,000 of said bonds to be used to refund \$27,000 of funding bonds, issued for the purpose of funding the outstanding bonded debt of the city of Lincoln, Nebraska, bearing date of April 1, 1886.

§ 5. The proceeds of the sale of said bonds shall immediately upon the receipt thereof be paid to the Treasurer of said city of Lincoln, and shall be kept separate and apart from the other moneys belonging to said city, and shall be drawn and used for purposes hereinbefore specified, and no others.

§ 6. The vote upon said proposition shall be had and taken at the several voting places in said city where the general election is held on said day, and the judges and clerks of said general election shall be the judges and clerks of the election hereby called; that the rules and regulations of said general election shall apply to this election so far as the same are applicable. The polls at said election shall be opened at eight o'clock A. M. and continued open until seven o'clock P. M. on said day of election.

§ 7. The proposition herein submitted for the issuance of said bonds and the levying of the tax herein provided for shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 8. This ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

[Passed February 27, 1894. Approved February 28, 1894. Published in *Call* March 3, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1462. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April,

1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of thirteen thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to \$13,000 funding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of \$13,000, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars each, numbered consecutively from (1) to twenty-six (26) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$1,000 eleven years after date thereof.

\$1,000 twelve years after date thereof.

\$1,000 thirteen years after date thereof.

\$1,000 fourteen years after date thereof.

\$1,000 fifteen years after date thereof.

\$1,000 sixteen years after date thereof.

\$1,000 seventeen years after date thereof.

\$2,000 eighteen years after date thereof.

\$2,000 nineteen years after date thereof.

\$2,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city of Lincoln, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1463. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln, Nebraska, on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of twenty-nine thousand five hundred dollars, to be used for the purpose of refunding twenty-nine thousand five hundred dollars of funding bonds of the city of Lincoln, twenty thousand dollars of said bonds are dated July 10, 1882, and nine thousand five hundred dollars of said bonds are dated September 1, 1882, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and City Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing bonded indebtedness of said city of Lincoln, Nebraska, which is now due and payable, and amounting to twenty-nine thousand five hundred dollars funding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of twenty-nine thousand and five hundred dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars (500) each, numbered consecutively from (1) to fifty-nine (59) inclusive, dated June 1, A. D. 1894, and shall become due payable as follows:

\$3,000 eleven years after date thereof.

\$3,000 twelve years after date thereof.

\$3,000 thirteen years after date thereof.

\$3,000 fourteen years after date thereof.

\$3,000 fifteen years after date thereof.

\$3,000 sixteen years after date thereof.

\$3,000 seventeen years after date thereof.

\$3,000 eighteen years after date thereof.

\$3,000 nineteen years after date thereof.

\$2,500 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per centum per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and City Clerk of said city are hereby authorized and directed to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under the direction of the Mayor and Council, in refunding said existing bonded indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to all other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1464. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance to law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of eighty thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding a certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to eighty thousand dollars sewer bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of eighty thousand dollars as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars (\$1,000) each, numbered consecutively from one (1) to eighty (80) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$8,000 eleven years after date thereof.

\$8,000 twelve years after date thereof.

\$8,000 thirteen years after date thereof.

\$8,000 fourteen years after date thereof.

\$8,000 fifteen years after date thereof.

\$8,000 sixteen years after date thereof.

\$8,000 seventeen years after date thereof.

\$8,000 eighteen years after date thereof.

\$8,000 nineteen years after date thereof.

\$8,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and

both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1465. WHEREAS, By a vote of the people at a special election called and held in the city of Lincoln on the third day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of one hundred thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to one hundred thousand dollars paving bonds, second series, issued for the purpose of paying the costs

of paving, repaving, or macadamizing the intersections of streets and alleys in said city, there be issued the negotiable bonds of said city in the sum of one hundred thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars each, numbered consecutively from one (1) to one hundred (100) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$10,000 eleven years after date thereof.

\$10,000 twelve years after date thereof.

\$10,000 thirteen years after date thereof.

\$10,000 fourteen years after date thereof.

\$10,000 fifteen years after date thereof.

\$10,000 sixteen years after date thereof.

\$10,000 seventeen years after date thereof.

\$10,000 eighteen years after date thereof.

\$10,000 nineteen years after date thereof.

\$10,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing bonded indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing outstanding bonded indebtedness of said city of Lincoln, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1466. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ten thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness to the amount of ten thousand dollars of water bonds of said city, second series, of the city of Lincoln, dated seven thousand dollars of said bonds May 23, 1882, and three thousand dollars of said bonds are dated May 29, 1884, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,
Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing bonded indebtedness of said city of Lincoln, Nebraska, which is now due and payable, and amounting to ten thousand dollars water bonds, first series, of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of ten thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars each, numbered consecutively from one (1) to twenty (20) inclusive, dated June 1, A. D. 1894, and shall become due and payable as follows:

- \$1,000 eleven years after date thereof.
- \$1,000 twelve years after date thereof.
- \$1,000 thirteen years after date thereof.
- \$1,000 fourteen years after date thereof.
- \$1,000 fifteen years after date thereof.
- \$1,000 sixteen years after date thereof.
- \$1,000 seventeen years after date thereof.

\$1,000 eighteen years after date thereof.

\$1,000 nineteen years after date thereof.

\$1,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per centum per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and City Clerk of said city are hereby authorized and directed to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of, shall be applied, under the direction of the Mayor and Council, in refunding said existing bonded indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in said city, in addition to all other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1467. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of thirty thousand dollars, to be used for the purpose of refund-

ing the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing bonded indebtedness of said city of Lincoln, which is now due and payable, and amounting to thirty thousand dollars refunding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of thirty thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars (\$1,000) each, numbered consecutively from one (1) to thirty (30) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$3,000 eleven years after date thereof.

\$3,000 twelve years after date thereof.

\$3,000 thirteen years after date thereof.

\$3,000 fourteen years after date thereof.

\$3,000 fifteen years after date thereof.

\$3,000 sixteen years after date thereof.

\$3,000 seventeen years after date thereof.

\$3,000 eighteen years after date thereof.

\$3,000 nineteen years after date thereof.

\$3,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bond shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they

shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1468. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of one hundred thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to one hundred thousand dollars paying bonds, first series, issued for the purpose of paying the costs of paving, repaving, or macadamizing the intersections of streets and alleys in said city, there be issued the negotiable bonds of said city in the sum of one hundred thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars each, numbered consecutively from one (1) to one hundred (100) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$10,000 eleven years after date thereof.

\$10,000 twelve years after date thereof.

\$10,000 thirteen years after date thereof.

\$10,000 fourteen years after date thereof.

\$10,000 fifteen years after date thereof.

\$10,000 sixteen years after date thereof.

\$10,000 seventeen years after date thereof.

\$10,000 eighteen years after date thereof.

\$10,000 nineteen years after date thereof.

\$10,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due, at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1469. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of twenty-five thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding the valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to twenty-five thousand dollars refunding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of twenty-five thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars (\$500) each, numbered from one (1) to fifty (50) inclusive, dated June 1, 1894, and shall become due and payable as follows:

- \$2,500 eleven years after date thereof.
- \$2,500 twelve years after date thereof.
- \$2,500 thirteen years after date thereof.
- \$2,500 fourteen years after date thereof.
- \$2,500 fifteen years after date thereof.
- \$2,500 sixteen years after date thereof.
- \$2,500 seventeen years after date thereof.
- \$2,500 eighteen years after date thereof.
- \$2,500 nineteen years after date thereof.
- \$2,500 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of in-

terest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1470. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ten thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and pay-

able, and amounting to ten thousand dollars water bonds, second series, of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of \$10,000, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars (\$500) each, numbered consecutively from one to twenty inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$1,000 eleven years after date thereof.

\$1,000 twelve years after date thereof.

\$1,000 thirteen years after date thereof.

\$1,000 fourteen years after date thereof.

\$1,000 fifteen years after date thereof.

\$1,000 sixteen years after date thereof.

\$1,000 seventeen years after date thereof.

\$1,000 eighteen years after date thereof.

\$1,000 nineteen years after date thereof.

\$1,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of July and January of each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under the direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1471. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ninety thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding the certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to ninety thousand dollars water bonds, third series, of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of ninety thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars (\$500) each, numbered from one (1) to one hundred and eighty (180) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$9,000 eleven years after date thereof.

\$9,000 twelve years after date thereof.

\$9,000 thirteen years after date thereof,

\$9,000 fourteen years after date thereof.

\$9,000 fifteen years after date thereof.

\$9,000 sixteen years after date thereof.

\$9,000 seventeen years after date thereof.

\$9,000 eighteen years after date thereof.

\$9,000 nineteen years after date thereof.

\$9,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under the direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all the taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1472. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ten thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes,

sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to ten thousand dollars water bonds, fourth series, of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of ten thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars (\$1,000) each, numbered consecutively from one (1) to ten (10) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$1,000 eleven years after date thereof.

\$1,000 twelve years after date thereof.

\$1,000 thirteen years after date thereof.

\$1,000 fourteen years after date thereof.

\$1,000 fifteen years after date thereof.

\$1,000 sixteen years after date thereof.

\$1,000 seventeen years after date thereof.

\$1,000 eighteen years after date thereof.

\$1,000 nineteen years after date thereof.

\$1,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be

applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property of said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid outstanding bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1473. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of ten thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon all the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to ten thousand dollars water bonds, fifth series, of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of ten thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars each, numbered consecutively from one (1) to ten (10) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$1,000 eleven years after date thereof.

\$1,000 twelve years after date thereof.

\$1,000 thirteen years after date thereof.

\$1,000 fourteen years after date thereof.

\$1,000 fifteen years after date thereof.

\$1,000 sixteen years after date thereof.

\$1,000 seventeen years after date thereof.

\$1,000 eighteen years after date thereof.

\$1,000 nineteen years after date thereof.

\$1,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interests shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1474. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of thirteen thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and payable, and amounting to \$13,000, funding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of \$13,000, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of five hundred dollars each, numbered consecutively from one (1) to twenty-six (26) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$1,000 eleven years after date thereof.

\$1,000 twelve years after date thereof.

\$1,000 thirteen years after date thereof.

\$1,000 fourteen years after date thereof.

\$1,000 fifteen years after date thereof.

\$1,000 sixteen years after date thereof.

\$1,000 seventeen years after date thereof.

\$2,000 eighteen years after date thereof.

\$2,000 nineteen years after date thereof.

\$2,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum from their date, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and

both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of the said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under the direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

AN ORDINANCE to provide for the issuing of bonds of the city of Lincoln, Nebraska, for the purpose of refunding certain valid existing bonded indebtedness of said city, in pursuance of the authority of a vote of the people expressed at a special election held April 3, 1894.

1475. WHEREAS, By a vote of the people at a special election duly called and held in the city of Lincoln on the 3d day of April, 1894, in pursuance of law, the Mayor and Council were empowered and authorized to borrow money, and pledge the property of said city, upon its negotiable bonds, to the amount of twenty-seven thousand dollars, to be used for the purpose of refunding the outstanding bonded indebtedness of said city, and to levy a tax upon the taxable property thereof, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That for the purpose of refunding certain valid existing indebtedness of said city of Lincoln, which is now due and pay-

able, and amounting to twenty-seven thousand dollars funding bonds of the city of Lincoln, Nebraska, there be issued the negotiable bonds of said city in the sum of twenty-seven thousand dollars, as hereinafter provided.

§ 2. Said bonds shall be of the denomination of one thousand dollars each, numbered from one (1) to twenty-seven (27) inclusive, dated June 1, 1894, and shall become due and payable as follows:

\$2,000 eleven years after date thereof.

\$2,000 twelve years after date thereof.

\$2,000 thirteen years after date thereof.

\$3,000 fourteen years after date thereof.

\$3,000 fifteen years after date thereof.

\$3,000 sixteen years after date thereof.

\$3,000 seventeen years after date thereof.

\$3,000 eighteen years after date thereof.

\$3,000 nineteen years after date thereof.

\$3,000 twenty years after date thereof.

All of said bonds shall be redeemable at the option of the city at any time after ten years from their date.

§ 3. Said bonds shall be made payable to bearer, shall bear interest at the rate of four and three-fourths per cent per annum, payable semi-annually on the first day of January and July in each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable as they become due at the fiscal agency of the state of Nebraska in the city of New York.

§ 4. Said bonds and attached coupons shall be signed by the Mayor and attested by the Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln.

§ 5. The Mayor and Clerk of said city are hereby authorized and directed, so soon as practicable, to prepare and execute said bonds and coupons, and the proceeds of the same, when they shall have been sold and disposed of according to law, shall be applied, under direction of the Mayor and Council, in refunding said existing indebtedness of said city, and for no other purpose.

§ 6. There shall be levied and collected taxes on all taxable property in the said city, in addition to other taxes, for a sinking fund to pay accruing interest, and to pay at maturity the principal of said bonds, for the purpose of paying the same, which tax shall be paid in cash.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 26, 1894. Approved June 27, 1894. Published in *Journal* June 28, 1894.]

ARTICLE II.

District Paving Bonds, Assessments and Orders.

AN ORDINANCE authorizing the issuing of district paving bonds, and for the purpose of paying respectively the cost of paving the several streets and parts of streets in paving districts Nos. one, (1,) and two, (2,) in said city, exclusive of intersections, spaces opposite alleys, or between the rails of any street or other railway, or one foot beyond the outer rails of any such railway, and to legalize and validate an ordinance approved August 10, A. D. 1887, and the bonds issued in pursuance thereof.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1478. § 1. That for the purpose of paying the cost of paving the several streets and parts of streets respectively, excepting intersections of streets, spaces opposite alleys, or between the rails of any street or other railway, or one foot beyond the outer rails of any such railway, in the paving districts of the city of Lincoln hereafter specified, the Mayor and City Clerk of said city be, and hereby are authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number one, (1,) ninety bonds of one thousand dollars each, to be called "district paving bonds of district number one, (1,)" and numbered respectively from one to ninety inclusive, said bonds to become due as follows:

Ten of said bonds due June 1, 1889.

Ten of said bonds due June 1, 1890.

Ten of said bonds due June 1, 1891.

Ten of said bonds due June 1, 1892.

Ten of said bonds due June 1, 1893.

Ten of said bonds due June 1, 1894.

Ten of said bonds due June 1, 1895.

Ten of said bonds due June 1, 1896.

Ten of said bonds due June 1, 1897.

And each of said bonds to have proper interest coupons thereto attached; and for the purpose of paying the cost of paving district number two (2) 135 bonds of one thousand dollars each to

be called "District Paving Bonds of District Number two, (2,)" and numbered respectively from one to 135 inclusive, said bonds to become due as follows:

Fifteen of said bonds due June 1, 1889.

Fifteen of said bonds due June 1, 1890.

Fifteen of said bonds due June 1, 1891.

Fifteen of said bonds due June 1, 1892.

Fifteen of said bonds due June 1, 1893.

Fifteen of said bonds due June 1, 1894.

Fifteen of said bonds due June 1, 1895.

Fifteen of said bonds due June 1, 1896.

Fifteen of said bonds due June 1, 1897.

And each of said bonds to have proper interest coupons thereto attached; and all of said bonds for each of said districts to be dated August 15, 1887, and all to bear interest from the date thereof at the rate of six per cent per annum, payable annually with interest coupons attached—principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal, and interest, the faith of the city of Lincoln, its property and revenues, are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said costs of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. That the ordinance approved August 10, 1887, authorizing the issuing of district paving bonds of the city of Lincoln for paving districts number one and two and the bonds issued in pursuance thereof, be and the same are hereby declared to be a legal and valid and binding ordinance and bonds.

§ 4. Whereas, an emergency exists requiring the immediate operation of this ordinance: the same shall take effect upon the proclamation of the Mayor immediately upon its first publication.

Approved October 17, 1887.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln, for the purpose of paying the costs of paving the several alleys and parts of alleys in paving districts numbers one (1) and two (2).

1479. § 1. That for the purpose of paying the costs of paving the several alleys in paving district No. one (1) in the city of Lincoln, the Mayor and City Clerk of said city be and are hereby authorized and directed to issue and execute the bonds of the city of Lincoln, to-wit: for the purpose of paying the costs of paving the said alleys in said paving district No. one, (1), eighteen (18) bonds of one thousand dollars each, to be called alley paving bonds of district No. one (1) and numbered respectively from one to eighteen inclusive, said bonds to become due as follows:

Two of said bonds due January 1, 1890.

Two of said bonds due January 1, 1891.

Two of said bonds due January 1, 1892.

Two of said bonds due January 1, 1893.

Two of said bonds due January 1, 1894.

Two of said bonds due January 1, 1895.

Two of said bonds due January 1, 1896.

Two of said bonds due January 1, 1897.

Two of said bonds due January 1, 1898.

And each of said bonds to have proper interest coupons attached thereto.

And for the purpose of paying the cost of paving the several alleys in paving district No. two (2) in said city of Lincoln, twenty-two (22) bonds of one thousand (\$1,000) dollars each, to be called alley paving bonds of district No. two (2) and numbered respectively from one (1) to twenty-two (22) inclusive, said bonds to become due as follows:

Two of said bonds due January 1, 1890.

Two of said bonds due January 1, 1891.

Two of said bonds due January 1, 1892.

Two of said bonds due January 1, 1893.

Two of said bonds due January 1, 1894.

Three of said bonds due January 1, 1895.

Three of said bonds due January 1, 1896.

Three of said bonds due January 1, 1897.

Three of said bonds due January 1, 1898.

And each of said bonds shall have proper interest coupons attached thereto.

And all of said bonds for each of said districts shall be dated

and bear interest from November 15, 1888, at the rate of 6 per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York, and for the payment of said bonds, principal and interest, the property, revenue, and faith of the city of Lincoln are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said costs of paying therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approved and published according to law.

Approved November 8, 1888.

NOTE.—This ordinance was without the enacting clause and was re-enacted before bonds were issued. See next ordinance.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln, for the purpose of paying the cost of paving the several alleys and parts of alleys in paving districts numbered one (1) and two (2).

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1480. § 1. That for the purpose of paying the cost of paving the several alleys in district No. one (1) in the city of Lincoln the Mayor and City Clerk of said city be and are hereby authorized and directed to issue and execute the bonds of the city of Lincoln, to-wit: For the purpose of paying the cost of paving the said alleys in district No. one, (1,) eighteen bonds of one thousand dollars each, to be called district paving bonds of district No. one, (1,) series No. 2, and numbered respectively from one to eighteen inclusive, said bonds to become due as follows:

Two of said bonds due January 1, 1890.

Two of said bonds due January 1, 1891.

Two of said bonds due January 1, 1892.

Two of said bonds due January 1, 1893.

Two of said bonds due January 1, 1894.

Two of said bonds due January 1, 1895.

Two of said bonds due January 1, 1896.

Two of said bonds due January 1, 1897.

Two of said bonds due January 1, 1898.

And each of said bonds to have proper interest coupons attached thereto,

And for the purpose of paying the cost of paving the several alleys in paving district No. two (2) in said city of Lincoln, twenty-two bonds of one thousand (1,000) dollars each, to be called district paving bonds of district No. two, (2,) and numbered respectively from one to twenty-two inclusive, said bonds to become due as follows:

Two of said bonds due January 1, 1890.

Two of said bonds due January 1, 1891.

Two of said bonds due January 1, 1892.

Two of said bonds due January 1, 1893.

Two of said bonds due January 1, 1894.

Three of said bonds due January 1, 1895.

Three of said bonds due January 1, 1896.

Three of said bonds due January 1, 1897.

Three of said bonds due January 1, 1898.

And each of said bonds shall have proper interest coupons attached thereto.

And all of said bonds for each of said districts shall be dated February 5, 1889, and bear interest from the date thereof at the rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska, in the city of New York; and for the payment of said bonds, principal and interest, the property, revenue, and faith, of the city of Lincoln, are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said costs of paving therein, shall constitute a sinking fund for the repayment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. Whereas an emergency exists, this ordinance shall take effect and be in force from and after its passage, approval, and publication.

Approved February 5, 1889.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts numbers three, (3,) four, (4,) five, (5,) six, (6,) seven, (7,) and eight, (8,) in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1481. § 1. That for the purpose of paying the cost of paving

the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving districts of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and hereby are authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number three, (3,) 67 bonds of one thousand dollars each, to be called "District paving bonds of district numbered three, (3,)" and numbered respectively from one to sixty-seven inclusive, said bonds to become due as follows:

Seven of said bonds due July 1, 1889.

Seven of said bonds due July 1, 1890.

Seven of said bonds due July 1, 1891.

Seven of said bonds due July 1, 1892.

Seven of said bonds due July 1, 1893.

Eight of said bonds due July 1, 1894.

Eight of said bonds due July 1, 1895.

Eight of said bonds due July 1, 1896.

Eight of said bonds due July 1, 1898.

And each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number four, (4,) fifty-six bonds of one thousand dollars each, to be called "District paving bonds of district number four, (4,)" and numbered respectively from one to fifty-six inclusive, said bonds to become due as follows:

Six of said bonds due July 1, 1889.

Six of said bonds due July 1, 1890.

Six of said bonds due July 1, 1891.

Six of said bonds due July 1, 1892.

Six of said bonds due July 1, 1893.

Six of said bonds due July 1, 1894.

Six of said bonds due July 1, 1895.

Seven of said bonds due July 1, 1896.

Seven of said bonds due July 1, 1898.

Each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number five, (5,) 105 bonds of one thousand dollars each, to be called "District paving bonds of district number five, (5,)" and numbered respectively from one to 105 inclusive, said bonds to become due as follows:

Eleven of said bonds due July 1, 1889.

Eleven of said bonds due July 1, 1890.

Eleven of said bonds due July 1, 1891.

Twelve of said bonds due July 1, 1892.

Twelve of said bonds due July 1, 1893.

Twelve of said bonds due July 1, 1894.

Twelve of said bonds due July 1, 1895.

Twelve of said bonds due July 1, 1896.

Twelve of said bonds due July 1, 1898.

Each of said bonds to have proper interest coupons attached.

And for the purpose of paying the aforesaid cost in paving district number six, (6,) eighty-seven bonds of one thousand dollars each, to be called "District paving bonds of district number six, (6,)" and numbered respectively from one to eighty-seven inclusive, said bonds to become due as follows:

Nine of said bonds due July 1, 1889.

Nine of said bonds due July 1, 1890.

Nine of said bonds due July 1, 1891.

Ten of said bonds due July 1, 1892.

Ten of said bonds due July 1, 1893.

Ten of said bonds due July 1, 1894.

Ten of said bonds due July 1, 1895.

Ten of said bonds due July 1, 1896.

Ten of said bonds due July 1, 1898.

Each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number seven, (7,) ninety-five bonds of one thousand dollars each, to be called "District paving bonds of district number seven, (7,)" and numbered respectively from one to ninety-five inclusive, said bonds to become due as follows:

Ten of said bonds due July 1, 1889.

Ten of said bonds due July 1, 1890.

Ten of said bonds due July 1, 1891.

Ten of said bonds due July 1, 1892.

Eleven of said bonds due July 1, 1893.

Eleven of said bonds due July 1, 1894.

Eleven of said bonds due July 1, 1895.

Eleven of said bonds due July 1, 1896.

Eleven of said bonds due July 1, 1898.

Each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number eight, (8,) fifty-two bonds of one thousand dollars each, to be called "District paving bonds of district number eight, (8,)" and numbered respectively from one to fifty-two, inclusive, said bonds to become due as follows:

Five of said bonds due July 1, 1889.

Five of said bonds due July 1, 1890.

Six of said bonds due July 1, 1891.

Six of said bonds due July 1, 1892.

Six of said bonds due July 1, 1893.

Six of said bonds due July 1, 1894.

Six of said bonds due July 1, 1895.

Six of said bonds due July 1, 1896.

Six of said bonds due July 1, 1898.

Each of said bonds to have proper interest coupons thereto attached.

And all of said bonds for each of said districts to be dated July 1, 1888, and all to bear interest from the date thereof at the rate of six per cent per annum, payable annually, with interest coupons attached—principal and interest payable at the fiscal agency of the state of Nebraska, in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues, are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, said bonds not to be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved June 7, 1888.

AN ORDINANCE for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888.

1483. WHEREAS, And under and by virtue of the provisions of an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and

alleys and parts of alleys and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," paving bonds were issued in the sum of \$1,000.00 each, to mature July 1, 1890, for the several paving districts aforesaid as follows:

Paving district number four (4), six bonds.

Paving district number five (5), eleven bonds.

Paving district number six (6), nine bonds.

Paving district number seven (7), ten bonds.

AND WHEREAS, By delay of the contractor the paving was not done in time that a special assessment could be made, levied, and collected in time to meet said bonds at their maturity, and the same are about to mature without funds available for the payment thereof: now therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

§ 1. That under the provisions of an act to incorporate cities of the first class, and regulating their duties, powers, government, and remedies, the city of Lincoln be and is hereby authorized to issue thirty-six coupon bonds bearing date July 1, 1890, in denomination of one thousand dollars each, to the amount of thirty-six thousand dollars (\$36,000.00), payable to bearer ten years after date, and redeemable at the option of the city at any time after five years from the date, for the purpose of extending \$36,000.00 of district paving bonds, issued July 1, 1889, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888. The said extended bonds shall state the purpose for which they are issued and shall bear interest at the rate of six per centum per annum, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bond for one year, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, and one of said coupons to be made payable at the expiration of each year during the said ten years, and said bonds and coupons shall be signed by the Mayor and attested by the Clerk, with the seal of said city affixed thereto.

§ 3. The bonds shall be a portion of the several series of

paving bonds of the said several districts, the number of extended bonds for each of said districts to be as follows:

Six of said bonds on district number four.

Eleven of said bonds on district number five.

Nine of said bonds on district number six.

Ten of said bonds on district number seven.

§ 4. The special taxes and assessments to be levied on the property in each of said districts respectively, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon. Said bonds not to be sold for less than par.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved June 13, 1890.

AN ORDINANCE to amend an ordinance providing for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city-exclusive of intersections and spaces opposite alleys," approved June 7, 1888.

1484. WHEREAS, And under and by virtue of the provisions of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," paving bonds were issued in the sum of \$1,000 each to mature July 1, 1890, for the several paving districts aforesaid as follows:

Paving district number four (4), six bonds.

Paving district number five (5), eleven bonds.

Paving district number six (6), nine bonds.

Paving district number seven (7), ten bonds.

AND WHEREAS, By the delay of the contractor the paving was not done in time that a special assessment could be made, levied, and collected in time to meet said bonds at their maturity, and the same are about to mature without funds available for the payment thereof: now therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

§ 1. That an ordinance providing for the re-issue and exten-

sion of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888, be amended to read as follows:

§ 2. That under the provisions of an act to incorporate cities of the first class, and regulating their duties, powers, government, and remedies, the city of Lincoln be and is hereby authorized to issue thirty-six coupons bonds bearing date July 1, 1890, in denomination of one thousand dollars each, to the amount of thirty-six thousand dollars (\$36,000.00), payable to bearer ten years after date, for the purpose of extending \$36,000.00 of district paving bonds issued July 1, 1889, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888. The said extended bonds shall state the purpose for which they are issued, and shall bear interest at the rate of six per centum per annum, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bond for one year, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, and one of said coupons to be made payable at the expiration of each year during the said ten years, and said bonds and coupons shall be signed by the Mayor and attested by the Clerk, with the seal of said city affixed thereto.

§ 3. The bonds shall be a portion of the several series of paving bonds of the said several districts, the number of extended bonds of each of said districts to be as follows:

Six of said bonds on district number four.

Eleven of said bonds on district number five.

Nine of said bonds on district number six.

Ten of said bonds on district number seven.

§ 4. The special taxes and assessments to be levied on the property in each of said districts respectively, to cover said cost of paving therein, shall constitute a sinking fund for the pay-

ment respectively of said bonds and interest thereon. Said bonds not to be sold for less than par.

§ 5. All ordinances or parts of ordinances in conflict with this ordinance is hereby repealed.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved June 16, 1890.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts number ten (10) and fourteen (14) in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1487. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and hereby are authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number ten (10), nine bonds of one thousand dollars each, to be called "District paving bonds of district number ten (10)," and numbered respectively from one (1) to nine (9), inclusive, said bonds to become due as follows:

One of said bonds due October 1, 1892.

One of said bonds due October 1, 1893.

One of said bonds due October 1, 1894.

One of said bonds due October 1, 1895.

One of said bonds due October 1, 1896.

One of said bonds due October 1, 1897.

One of said bonds due October 1, 1898.

One of said bonds due October 1, 1899.

One of said bonds due October 1, 1900.

And each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number fourteen (14), twenty-four bonds of one thousand dollars each, and one bond of twelve hundred dollars, to be called "District paving bonds of district number fourteen (14)," and numbered respectively from one to twenty-five, inclusive, said bonds to become due as follows:

Two bonds due October 1, 1892.

Two bonds due October 1, 1893.

Two bonds due October 1, 1894.

Two bonds due October 1, 1895.

Two bonds due October 1, 1896.

Three bonds due October 1, 1897.

Three bonds due October 1, 1898.

Three bonds due October 1, 1899.

Three bonds due October 1, 1900.

And each of said bonds to have proper interest coupons thereto attached.

And all of said bonds for each of said districts to be dated October 1, 1890, and all to bear interest, from the date thereof, at the rate of six (6) per cent per annum, payable annually, with interest coupons attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed 22d day of September, A. D. 1890. Approved 25th day of September, A. D. 1890.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several alleys and parts of alleys constituting alley paving district number three (3).

1488. § 1. That for the purpose of paying the costs of paving the several alleys in alley paving district number (3), in the city of Lincoln, the Mayor and City Clerk of said city be and are hereby authorized and directed to issue and execute the bonds of the city of Lincoln, to-wit: For the purpose of paying the costs of paving the said alleys in said alley paving district number three (3), eighteen (18) bonds of one hundred dollars each, to be called "Alley paving bonds of alley paving district number three (3)," and numbered respectively from one to eighteen inclusive, said bonds to become due as follows:

Two of said bonds due January 1, 1892.

Two of said bonds due January 1, 1893.

Two of said bonds due January 1, 1894.

Two of said bonds due January 1, 1895.

Two of said bonds due January 1, 1896.

Two of said bonds due January 1, 1897.

Two of said bonds due January 1, 1898.

Two of said bonds due January 1, 1899.

Two of said bonds due January 1, 1900.

And each of said bonds to have proper interest coupons attached thereto.

And all of said bonds for said alley paving district shall be dated and bear interest from November 1, 1890, at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York, and for the payment of said bonds, principal and interest, the property, revenue, and faith of the city of Lincoln are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said alley paving district, to cover said costs of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed 27th day of October, 1890. Approved 28th day of October, 1890.

AN ORDINANCE to amend an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys and parts of streets and alleys in paving districts numbered ten (10) and fourteen (14), in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890.

Be it ordained by the Mayor and Council of the City of Lincoln:

1489. § 1. That an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln, for the purpose of paying the costs of paving the several streets and alleys and parts of streets and alleys in paving districts numbered ten (10) and fourteen (14), in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890, be and hereby is amended to read as follows: That for the purpose of paying the cost of paving the several streets and

alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys in the paving districts of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city, be and hereby are authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number ten (10), nine bonds of one thousand dollars each, to be called "District paving bonds of district number ten (10)," and numbered respectively from one (1) to nine (9), inclusive, said bonds to become due as follows:

One of said bonds due October 1, 1892.

One of said bonds due October 1, 1893.

One of said bonds due October 1, 1894.

One of said bonds due October 1, 1895.

One of said bonds due October 1, 1896.

One of said bonds due October 1, 1897.

One of said bonds due October 1, 1898.

One of said bonds due October 1, 1899.

One of said bonds due October 1, 1900.

And each of said bonds to have proper interest coupons thereto attached.

And for the purpose of paying the aforesaid cost in paving district number fourteen (14), twenty-four bonds of one thousand dollars each, and one bond of twelve hundred dollars, to be called "District paving bonds of district number fourteen (14)," and numbered respectively from one to twenty-five, inclusive, said bonds to become due as follows:

Two bonds due October 1, 1892.

Two bonds due October 1, 1893.

Three bonds due October 1, 1894.

Three bonds due October 1, 1895.

Three bonds due October 1, 1896.

Three bonds due October 1, 1897.

Three bonds due October 1, 1898.

Three bonds due October 1, 1899.

Three bonds due October 1, 1900.

And each of said bonds to have proper interest coupons thereto attached.

And all of said bonds for each of said districts to be dated November 1, 1890, and all to bear interest from the date thereof, at the rate of six (6) per cent per annum, payable annually, with interest coupons attached, principal and interest payable at the

fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in each of said districts respectively, to cover said cost of paying therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed 27th day of October, A. D. 1890. Approved 28th day of October, A. D. 1890.

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paying the several streets and alleys in paving district number nine (9), in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1490. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the afore-said cost in paving district number nine (9), thirty bonds of one thousand dollars each, to be called "District paving bonds of district number nine (9)," and numbered, respectively, from one (1) to thirty (30), inclusive, said bonds to become due as follows:

Three of said bonds due October 1, 1892.

Three of said bonds due October 1, 1893.

Three of said bonds due October 1, 1894.

Three of said bonds due October 1, 1895.

Three of said bonds due October 1, 1896.

Three of said bonds due October 1, 1897.

Three of said bonds due October 1, 1898.

Three of said bonds due October 1, 1899.

Three of said bonds due October 1, 1900.

Three of said bonds due October 1, 1901.

And each of said bonds to have proper interest coupons thereto attached.

And all of said bonds to be dated January 1, 1891, and all to bear interest, from the date thereof, at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed 10th day of November, 1890. Approved 14th day of November, 1890.

AN ORDINANCE to repeal an ordinance entitled "An ordinance to amend an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving districts numbered ten (10) and fourteen (14), in said city, exclusive of intersections and spaces opposite alleys,'" approved October 28, 1890.

Be it ordained by the Mayor and Council of the City of Lincoln:

1491. § 1. That an ordinance entitled "An ordinance to amend an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving districts ten (10) and fourteen (14) in said city, exclusive of intersections and spaces opposite of alleys,'" approved October 28, 1890, be and the same is hereby repealed.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed November 10, 1890. Approved November 14, 1890.

AN ORDINANCE for the re-issue of thirty-six bonds of one thousand dollars each, issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888, and to repeal an ordinance entitled "An ordinance for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved June 13, 1890, and to repeal another ordinance entitled "An ordinance to amend an ordinance providing for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved June 16, 1890.

1492. WHEREAS, Under and by virtue of the provisions of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888, paving bonds were issued for the sum of one thousand dollars each, to mature July 1, 1890, as follows:

For paving district number four (4), six bonds.

For paving district number five (5), eleven bonds.

For paving district number six (6), nine bonds.

For paving district number seven (7), ten bonds.

AND WHEREAS, By reason of delay of the contractor in completing the contract for such paving, said bonds last named to the amount of thirty-six thousand dollars matured before the city was able to levy a tax for payment thereof; and

WHEREAS, Under an ordinance entitled "An ordinance for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved June 13, 1890, and an ordinance entitled "An ordinance to amend an ordinance providing for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the pur-

pose of paying respectively the cost of paving several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved June 16, 1890, the Mayor and City Council of the city of Lincoln issued thirty-six bonds of one thousand dollars each, dated July 1, A. D. 1890, to mature July 1, A. D. 1900, for the purpose of replacing and redeeming the thirty-six bonds above described maturing July 1, 1890, which re-issued bonds were offered to the holders of said maturing bonds in lieu of payment of said maturing bonds, according to the terms thereof; and

WHEREAS, The regularity, validity, and legality of said re-issued bonds was questioned by said holders, and said bonds were only accepted by said holders with the provision that the issue should be either legalized by act of the legislature, or new bonds should be issued as a substitute therefor, under legislation to be procured therefor, therefore

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That under the provisions of an act of the legislature of Nebraska entitled "An act to incorporate cities of the first class and regulating their duties, powers, government, and remedies," approved March 29, A. D. 1889, and amendments thereof, the city of Lincoln be and hereby is authorized to issue thirty-six coupon bonds bearing date July 1, 1890, in denominations of one thousand dollars each, to the total amount of thirty-six thousand dollars (\$36,000.00), each bond payable to bearer ten years after date, for the purpose of redeeming thirty-six thousand dollars (\$36,000.00) of district paving bonds dated July 1, 1888, and issued under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888. The bonds issued under this ordinance shall state the purpose for which they are issued and shall bear interest at the rate of six (6) per centum per annum, payable annually on July 1st, which interest shall be evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bond for one year, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, and one coupon of each of said bonds to be made

payable at the expiration of each year during the said ten years, and said bonds and coupons shall be signed by the Mayor and by the City Clerk, and the seal of the said city shall be affixed to each of said bonds.

§ 2. The bonds shall be a portion of the several series of paving bonds of the several districts numbered four (4), five (5), six (6), and seven (7), the number of bonds re-issued for each of said districts to be as follows:

For paving district number four (4), six (6) bonds.

For paving district number five (5), eleven (11) bonds.

For paving district number six (6), nine (9) bonds.

For paving district number seven (7), ten (10) bonds.

§ 3. The special taxes and assessments to be levied on the property in each of said districts respectively to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of the bonds issued hereunder and interest thereon, said bonds not to be sold for less than par.

§ 4. The ordinances herein referred to, approved June 13, 1890, and June 16, 1890, are hereby repealed.

§ 5. The bonds issued under this ordinance shall be delivered to the holders of the bonds which they are intended to redeem and for which they are to be substituted, upon the surrender of such bonds of said previous issues, being the said thirty-six thousand dollars (\$36,000.00) issued under the said ordinances approved June 7, 1888, and the said thirty-six thousand dollars (\$36,000.00) under the said ordinances approved June 13 and June 16, 1890, in Boston, Massachusetts, or at such other place as may be mutually satisfactory.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 26, 1891. Approved May 28, 1891.]

AN ORDINANCE to amend sections 1, 2, 3, and 4, of an ordinance entitled "An ordinance for the re-issue and extension of \$61,000.00 worth of bonds issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively that cost of paving the several streets and alleys and parts of streets and alleys of paving districts numbers 3, 4, 5, 6, 7, and 8, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved May 28, 1891, and to repeal said original sections.

1493. WHEREAS, And under and by virtue of the provisions of an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving the several streets and

alleys and parts of streets and alleys of paving districts numbers 3, 4, 5, 6, 7, and 8, in said city, exclusive of intersections and spaces opposite alleys," paving bonds were issued in the sum of one thousand dollars (\$1,000.00) each, to mature July 1, 1889, July 1, 1890, and July 1, 1891, for the several paving districts aforesaid, among others as follows:

Paving district number three (3), one of bonds maturing July 1, 1889.

Paving district number three (3), two bonds maturing July 1, 1890.

Paving district number three (3), seven bonds maturing July 1, 1891.

Paving district number four (4), two bonds maturing July 1, 1889.

Paving district number four (4), six bonds maturing July 1, 1891.

Paving district number five (5), five bonds maturing July 1, 1889.

Paving district number five (5), eleven bonds maturing July 1, 1891.

Paving district number six (6), one bond maturing July 1, 1889.

Paving district number six (6), nine bonds maturing July 1, 1891.

Paving district number seven (7), seven bonds maturing July 1, 1889.

Paving district number seven (7), ten bonds maturing July 1, 1891.

AND WHEREAS, By delay of the contractor the paving in said several districts was not done in time and that a special assessment could be made, levied, and collected in time to meet said bonds or any of them at their maturity, and the same have partly matured and others are about to mature without funds available for the payment thereof: now therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That section one of an ordinance entitled "An ordinance for the re-issue and extension of \$61,000.00 worth of bonds, issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively that cost of paving the several streets and alleys and parts of streets and alleys of

paving districts numbers three, four, five, six, seven, and eight, in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888," approved May 28, 1891, be amended to read as follows:

"§ 1. That under the provisions of an act to amend sections 1, 10, 12, 13, 14, 17, 25, 26, 27, 42, 46, 49, 52, subdivisions 3, 6, and 31 of section 67, and sections 69, 81, 84, 87, and 91, of an act entitled "An act to incorporate cities of the first class and regulating their duties, powers, government, and remedies, approved March 29, 1889, and to repeal said original sections and subdivisions," approved April 9, 1891, the city of Lincoln be and is hereby authorized to issue sixty-one (61) coupon bonds, bearing date of July 1, 1891, in denomination of one thousand dollars each, to the amount of sixty-one thousand (61,000) dollars, payable to bearer ten years after date and redeemable at the option of the city at any time after ten years from date, for the purpose of re-issuing sixty-one thousand (61,000) dollars of district paving bonds, issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying respectively the costs of paving the several streets and alleys and parts of streets and alleys of paving districts numbers 3, 4, 5, 6, 7, and 8, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888, and for the purpose of re-issuing for the purpose of extending forty-three thousand (43,000) dollars worth of district paving bonds, issued July 1, 1888, under the last above described ordinance of said city, approved June 7, 1888, and for the purpose of paving the several streets and alleys in said paving districts number three, four, five, six, and seven; that said bonds so re-issued and extended shall state the purpose for which they are issued and shall bear interest at the rate of six per cent per annum, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bond for one year, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, and one of said coupons to be made payable at the expiration of each year during the said ten years, and said bonds and coupons shall be signed by the Mayor and attested by the Clerk, with the seal of the said city affixed thereto."

§ 2. That section two of said ordinance be amended to read as follows:

“§ 2. The bonds shall be a portion of the several series of paving bonds of the said several districts, the number of bonds re-issued for each of said districts maturing July 1, 1891, to be as follows:

“Seven (7) of said bonds on district number three (3).

“Six (6) of said bonds on district number four (4).

“Eleven of said bonds on district number five (5).

“Nine (9) of said bonds on district number six (6).

“Ten of said bonds on district number seven (7).

“And the number of bonds so re-issued for each of said districts maturing on July 1, 1891, and prior years to be as follows :

“Ten (10) bonds on district number three (3).

“Eight (8) bonds on district number four (4).

“Sixteen (16) bonds on district number five (5).

“Ten (10) bonds on district number six (6).

“Seventeen bonds on district number seven (7.)”

§ 3. That section three of said ordinance be amended to read as follows:

“§ 3. The special taxes and assessments levied and to be levied on the property in each of said districts respectively, to cover the cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds so re-issued and extended together with the interest thereon, and said bonds are not to be sold for less than par.”

§ 4. That sections one, two, three, and four, as now existing, be and the same are hereby repealed, and this ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

[Passed June 16, 1891. Approved June 16, 1891.]

AN ORDINANCE to amend section one of an ordinance entitled "An ordinance for the re-issue of thirty-six bonds of one thousand dollars each, issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888, and to repeal an ordinance entitled 'An ordinance for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys of paving districts four (4), five (5), six (6), and seven (7), in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888,' approved June 13, 1890, and to repeal another ordinance entitled 'An ordinance to amend an ordinance providing for the re-issue and extension of thirty-six thousand dollars of bonds, issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving several streets and alleys and parts of streets and alleys of paving districts four (4), five (5), six (6), and seven (7), in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888,' approved June 16, 1890," approved May 28, 1891.

Be it ordained by the Mayor and Council of the City of Lincoln:

1494. § 1. That section one of an ordinance entitled "An ordinance for the re-issue of thirty-six bonds of one thousand dollars each, issued July 1, 1888, under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys,' approved June 7, 1888, and to repeal an ordinance entitled 'An ordinance for the re-issue and extension of thirty-six thousand dollars of bonds issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of the district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888,' approved June 13, 1890, and to repeal another ordinance entitled 'An ordinance to amend an ordinance providing for the re-issue and extension of thirty-six thousand dollars of bonds, issued July 1, 1888, under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying respectively the cost of paving several streets and alleys and parts of streets and alleys of paving districts 4, 5, 6, and 7, in said city, exclusive of intersections and spaces opposite alleys," approved June 7, 1888,' approved June 16, 1890," approved May 28, 1891, be amended to read as follows:

“§ 1. That under the provisions of an act of the legislature of Nebraska entitled ‘An act to incorporate cities of the first class and regulating their duties, powers, government, and remedies,’ approved March 29, A. D. 1889, and amendments thereof, the city of Lincoln be and hereby is authorized to issue thirty-six coupon bonds bearing date June 23, 1891, in denominations of one thousand dollars each, to the total amount of thirty-six thousand dollars (\$36,000.00), each bond payable to bearer ten years after date, for the purpose of redeeming thirty-six thousand dollars (\$36,000.00) of district paving bonds, dated July 1, 1888, and issued under an ordinance entitled ‘An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts numbers three (3), four (4), five (5), six (6), seven (7), and eight (8), in said city, exclusive of intersections and spaces opposite alleys,’ approved June 7, 1888. The bonds issued under this ordinance shall state the purpose for which they are issued and shall bear interest at the rate of six per centum per annum, payable annually on July 1st, which interest shall be evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bonds for one year, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, and one coupon of each of said bonds to be made payable at the expiration of each year during the said ten years, and said bonds and coupons shall be signed by the Mayor and by the City Clerk, and the seal of the said city shall be affixed to each of said bonds.”

§ 2. That section one of said ordinance as now existing be and the same is hereby repealed, and this ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

[Passed June 23, 1891. Approved June 23, 1891.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of grading, curbing, and paving the several streets and alleys in paving district number (9) nine in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska :

1495. § 1. That, WHEREAS, on the 4th day of May, 1888, the Council of the city of Lincoln, Nebraska, by ordinance created

paving district number (9) nine, and afterwards by ordinance approved March 11, 1890, said Council amended the original ordinance and changed the boundaries of said district, and by ordinance approved July 9, 1890, said Council again amended the boundaries of said district, and by said last ordinance formed such paving district number (9) nine so as to include all that territory within the corporate limits of the said city of Lincoln, Nebraska, lying on that part of 27th street in said city, from the south line of O street to the south side of Y street and the property on both sides of said part of said 27th street to the depth of 150 feet, and thereafter a majority of the owners of property owning a majority of the front feet of property so abutting upon said part of 27th street, in said paving district, petitioned the City Council to have said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted, and the said Council by ordinance approved July 10, 1890, and after an estimate of said work had been made, ordered said work done as prayed for in the petition of said property owners, and thereafter such work was advertised for, to be done by the best and lowest bidder, and thereafter the contract for such work was let by said Council to John A. Buckstaff as the best and lowest bidder, and such work is now being done, and there are no funds or money to pay for the same except it be raised by issuing district paving bonds, as authorized by statute of the state of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number (9) nine, thirty bonds of one thousand dollars each, to be called "District paving bonds of district number (9) nine," and numbered respectively from (1) one to thirty (30), inclusive, said bonds to become due as follows:

Three of said bonds due September 1, 1892.

Three of said bonds due September 1, 1893.

Three of said bonds due September 1, 1894.

Three of said bonds due September 1, 1895.

Three of said bonds due September 1, 1896.

Three of said bonds due September 1, 1897.

Three of said bonds due September 1, 1898.

Three of said bonds due September 1, 1899.

Three of said bonds due September 1, 1900.

Three of said bonds due September 1, 1901.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated September 1, 1891, and all to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district, to cover said cost of grading, curbing, and paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par, and all ordinances inconsistent herewith are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 4, 1891. Approved August 5, 1891.]

AN ORDINANCE authorizing the issue of district paying bonds of the city of Lincoln, Nebraska, for the purpose of paying respectively the cost of grading, curbing, and paving the several streets and alleys and parts of streets and alleys of paving district number fifteen (15), in said city, exclusive of intersections and spaces opposite alleys, and by special taxes and assessments to create a sinking fund for the payment of said bonds and interest.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1496. § 1. That, WHEREAS, heretofore, and on the 27th day of May, 1890, the Council of the city of Lincoln, Nebraska, at a regular session created paving district number fifteen (15), including all that territory within the corporate limits of the city of Lincoln, Nebraska, lying and being on both sides of R street from the west side of 17th street to the west side of 27th street, in said city of Lincoln, Nebraska, to the depth of 150 feet; and

WHEREAS, The majority of the front feet of the property owners in said district, by a petition duly presented and approved by the Mayor and Council of said city, on the 27th day of May, 1890, petitioned said Council for the grading, curbing, and paving of said district for two courses of brick on sand, and there-

after the said Mayor and Council by ordinance approved on the 27th day of May, 1890, ordered said work, to-wit, the grading, curbing, and paving in said district number fifteen (15), to be done in accordance with the petition of said property holders, and thereafter the said work was properly advertised for and a contract for such work let to John A. Buckstaff, who being the best and lowest bidder for the same; and

WHEREAS, Said work is now under process and is being done, and there being no funds to pay for the same except such funds be raised and procured by the issuing of district paving bonds as authorized and provided for by the statutory laws of the state of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the cost of grading, curbing, and paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in paving district number fifteen (15), in said city of Lincoln, Nebraska, the Mayor and City Clerk of said city be and are hereby authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit, for the purpose of paying the aforesaid cost in paving district number fifteen (15), thirty-three (33) bonds of one thousand dollars each, to be called "District paving bonds of district number fifteen (15)," and numbered respectively from one to thirty-three, inclusive, said bonds to become due as follows:

Three of said bonds due September 1, 1892.

Three of said bonds due September 1, 1893.

Three of said bonds due September 1, 1894.

Three of said bonds due September 1, 1895.

Three of said bonds due September 1, 1896.

Three of said bonds due September 1, 1897.

Three of said bonds due September 1, 1898.

Four of said bonds due September 1, 1899.

Four of said bonds due September 1, 1900.

Four of said bonds due September 1, 1901.

Each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated September 1, 1891, all to bear interest from the date thereof at the rate of six per cent per annum, payable annually, with interest coupons attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, said bonds not to be sold for less than par.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 28, 1891. Approved July 30, 1891.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln, Nebraska, for the purpose of paying respectively the cost of grading, curbing, and paving the several streets and alleys and parts of streets and alleys of paving district number thirteen (13), in said city, exclusive of intersections and spaces opposite alleys, and by special taxes and assessments to create a sinking fund for the payment of said bonds and interest.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1497. § 1. That, WHEREAS, heretofore and on the 28th day of March, 1890, the Council of the city of Lincoln, Nebraska, at a regular session creating paving district number thirteen (13), including all of that territory within the corporate limits of the city of Lincoln, Nebraska, all of 16th street in said city from north line to O to the north line of Q, and all the estate on both sides of said 16th street to the depth of 150 feet.

WHEREAS, The majority of the front feet of the property owners in said district, by a petition duly presented and approved by the Mayor and Council of said city on the 10th day of May, 1890, petitioned said Council for the grading, paving, and curbing of said district for two courses of brick on sand, and thereafter the said Mayor and Council, by ordinance approved 28th day of July, 1891, ordered said work, to-wit, the grading, curbing, and paving in said district number thirteen (13), to be done in accordance with the petition of said property holders, and thereafter said work was properly advertised for, and the contract for such work let to John A. Buckstaff, who being the best and lowest bidder for the same; and

WHEREAS, Said work is now under process and is being done, and there being no funds to pay for the same except such funds be raised and procured by issuing district paving bonds as authorized and provided for by the statutory laws of the state of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the cost of grading, curbing, and paving the several streets and alleys and

parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln, Nebraska, hereinafter specified, the Mayor and City Clerk of said city be and are hereby authorized and directed to execute and issue the bonds of the city of Lincoln, Nebraska, to-wit, for the purpose of paying the aforesaid cost in paving district number thirteen (13), ten (10) bonds of seven hundred (\$700.00) dollars each, to be called "District paving bonds of district number thirteen (13)," and numbered respectively from one to ten (10), inclusive, said bonds to become due as follows:

One of said bonds due September 1, 1892.

One of said bonds due September 1, 1893.

One of said bonds due September 1, 1894.

One of said bonds due September 1, 1895.

One of said bonds due September 1, 1896.

One of said bonds due September 1, 1897.

One of said bonds due September 1, 1898.

One of said bonds due September 1, 1899.

One of said bonds due September 1, 1900.

One of said bonds due September 1, 1901.

Each of said bonds to have proper interest coupons thereto attached, and all of said bonds for said district to be dated September 1, 1891, and all to bear interest from the date thereof at the rate of six per cent per annum, payable annually, with interest coupons attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, said bonds not to be sold for less than par.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 28, 1891. Approved July 30, 1891.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys in paving district number nine (9), in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1498. § 1. That, WHEREAS, on the 4th day of May, 1888, the Council of the city of Lincoln, Neb., by ordinance created paving district number nine (9), and afterwards by ordinance approved March 11th, 1890, said Council amended the original ordinance and changed the boundaries of said district; and by ordinance approved July 9th, 1890, said Council again amended the boundaries of said district, and by said last ordinance formed such paving district number nine (9) so as to include all that territory within the corporate limits of the said city of Lincoln, Neb., lying on that part of Twenty-seventh street, in said city, from the south line of O street to the south side of Y street and the property on both sides of said part of said Twenty-seventh street to the depth of 150 feet; and thereafter a majority of the owners of property, owning a majority of the front feet of property so abutting upon said part of Twenty-seventh street, in said paving district, petitioned the City Council to have said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted, and the said Council by ordinance approved July 10th, 1890, and after an estimate of said work had been made, ordered said work done as prayed for in the petition of said property owners; and thereafter such work was advertised for, to be done by the best and lowest bidder, and thereafter the contract for such work was let by said Council to John A. Buckstaff as the best and lowest bidder, and such work is now being done and there are no funds or money to pay for the same except it be raised by issuing district paving bonds as authorized by the statutes of the state of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys and parts of streets and alleys, respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit:

For the purpose of paying the aforesaid cost in paving district number nine (9), thirty bonds of one thousand dollars each, to be called "District paving bonds of district number nine (9)," and

numbered respectively from one (1) to thirty (30), inclusive, said bonds to become due as follows:

Three of said bonds due September 1st, 1892.

Three of said bonds due September 1st, 1893.

Three of said bonds due September 1st, 1894.

Three of said bonds due September 1st, 1895.

Three of said bonds due September 1st, 1896.

Three of said bonds due September 1st, 1897.

Three of said bonds due September 1st, 1898.

Three of said bonds due September 1st, 1899.

Three of said bonds due September 1st, 1900.

Three of said bonds due September 1st, 1901.

And each of said bonds to have proper interest coupons thereto attached.

And all of said bonds to be dated September 1st, 1891, and all to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district to cover said cost of grading, curbing, and paving therein shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par, and all ordinances inconsistent herewith are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 4, 1891. Approved August 5, 1891. Published in *News* August 6, 1891.]

AN ORDINANCE to amend so much of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys, and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890, as provides for the issue of district paving bonds in paving district No. 14 in said city, and to provide for the re-issue of twenty-four bonds of one thousand dollars each and one of twelve hundred dollars, bearing date of October 1, 1890, issued under an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys," approved September 29, 1890, and to repeal so much of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890, as provides for the issue of paving bonds for the purpose of paying the cost of paving in paving district No. 14 in said city.

1499. WHEREAS, Under and by virtue of the provisions of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys, approved September 25, 1890, paving bonds were issued by the Mayor and City Council of the city of Lincoln for paving district No. 10, and also for paving district No. 14, and the said bonds issued for paving district No. 14 were issued as follows: Twenty-four bonds of \$1,000 each and one bond of \$1,200, to be called district paving bonds of district No. 14, and numbered respectively from one to twenty-five inclusive, and all of said bonds to be dated October 1, 1890, and said bonds to become due as follows:

- Two bonds due October 1, 1892,
- Two bonds due October 1, 1893,
- Two bonds due October 1, 1894,
- Two bonds due October 1, 1895,
- Two bonds due October 1, 1896,
- Three bonds due October 1, 1897,
- Three bonds due October 1, 1898,
- Three bonds due October 1, 1899,
- Three bonds due October 1, 1900, and
- Three bonds due October 1, 1901; and

WHEREAS By reason of the failure of the person who was Mayor of said city of Lincoln at the time of the date of said ordinance, to-wit, September 25, 1890, and who was Mayor at the date which said ordinance provided that the said bonds should bear, to-wit, October 1, 1890, to execute said bonds; and

WHEREAS, The succeeding Mayor executed said bonds when

he was not the Mayor at the time of the passage of said ordinance, approved September 25, 1890, and was not the Mayor at the date which said ordinance provided that the bonds should bear, to-wit, October 1, 1890; and

WHEREAS, By reason of the aforesaid premises the regularity, validity, and legality of said issued bonds were questioned by the holders of said bonds, and said bonds were only accepted by said holders with the provision that the issue should be legal; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

§ 1. That so much and all of that portion of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890, as provides for the issue of district paving bonds in paving district No. 14 in said city be and hereby is amended to read as follows:

That WHEREAS, heretofore and on the 28th day of March, 1890, the Council at a regular session created paving district No. 14, including all that territory within the corporate limits of the city of Lincoln, Nebraska, described as follows: Commencing at a point 150 feet south of the south line of T street and 150 feet west of the west line of 9th street; thence running northerly to the south line of X street; thence easterly along the south line of X street to a point 150 feet east of the east line of 9th street; thence southerly to a point 150 feet north of the north line of T street; thence easterly to the west line of 12th street; thence southerly along the west line of 12th street to a point 150 feet south of the south line of T street; thence westerly to the place of beginning.

WHEREAS, The majority of the front feet property owners in said district, by a petition duly presented and approved by the Mayor and Council of said city, on the 27th day of May, 1890, petitioned said Council for the paving, curbing, and grading of said district with cedar blocks, and thereafter said Mayor and Council, by ordinance approved May 27, 1890, ordered said work, to-wit, the grading, curbing, and paving in said district No. 14, to be done in accordance with the petition of said property owners, and thereafter said work was properly advertised

for and the contract for such work let to Mason & McDonald, who being the best and lowest bidders for the same; and

WHEREAS, Said work is now under process and is being done, and there being no funds to pay for the same except such funds be raised and procured by issuing district paving bonds as authorized and provided for by the statutory laws of the state of Nebraska.

§ 2. Now, therefore, and for the purpose of paying the cost of grading, curbing, and paving the several streets and alleys and parts of streets and alleys, respectively, excepting the intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and hereby are authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district No. 14, and for the purpose of replacing and redeeming the 25 bonds heretofore described, bearing date October 1, 1890, 24 bonds of \$1,000 each and one bond of \$1,200, to be called district paving bonds of district No. 14, and numbered respectively from one to twenty-five inclusive, said bonds to become due as follows:

Two bonds due October 1, 1892.

Two bonds due October 1, 1893.

Three bonds due October 1, 1894.

Three bonds due October 1, 1895.

Three bonds due October 1, 1896.

Three bonds due October 1, 1897.

Three bonds due October 1, 1898.

Three bonds due October 1, 1899.

Three bonds due October 1, 1900.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated October 1, 1890, and all to bear interest from the date thereof at the rate of six per centum per annum, payable annually, with interest coupons attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of the said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. The bonds issued under this ordinance shall state the purpose for which they are issued, and the special taxes and assessments to be levied on the property in said district to cover said cost of paving therein shall constitute a sinking fund for

the payment of the said bonds, respectively, and the interest thereon, and said bonds shall not be sold for less than par.

§ 4. The bonds issued under this ordinance shall be delivered to the holders of the bonds which they are intended to redeem and for which they are to be substituted, upon the surrender of such bonds of said previous issue, being the said 25 bonds, 24 of \$1,000 each, and one of \$1,200, issued under said ordinance, approved September 25, 1890, at such place as may be mutually satisfactory.

§ 5. All that portion and only so much thereof of an ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys," approved September 25, 1890, as provides for the issue of district paving bonds in paving district No. 14 in said city is hereby repealed, and all ordinances and parts of ordinances not consistent herewith are hereby repealed, and this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed September 8, 1891. Approved September 11, 1891. Published in *Laborer* September 12, 1891.]

AN ORDINANCE authorizing the issuing of district paving bonds of the city of Lincoln, Nebraska, to pay the cost of paving streets and alleys in paving district number fourteen (14) in said city, exclusive of intersections and spaces opposite alleys, and to repeal an ordinance approved September 11, 1891, entitled "An ordinance to amend so much of an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln, Nebraska, for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys,' approved September 25, 1890, as provides for the issue of district paving bonds in paving district No. 14 in said city, and provide for the re-issue of twenty-four bonds of one thousand dollars each, and one of twelve hundred dollars, bearing date of October 1, 1890, issued under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in the city, exclusive of intersections and spaces opposite alleys,' approved September 29, 1890, and to repeal so much of an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving districts Nos. 10 and 14 in said city, exclusive of intersections and spaces opposite alleys,' approved September 25, 1890, as provides for the issue of paving bonds for the purpose of paying the cost of paving in paving district No. 14 in said city."

1500. WHEREAS, Of the twenty-five thousand and two hundred dollars of district paving bonds authorized to be issued by an ordinance approved September 25, 1890, as amended by an ordinance approved October 28, 1890, for the purpose of paying

the cost of paving several streets and alleys in paving district No. fourteen, bonds of the sum of ten thousand and two hundred dollars have not heretofore been issued, as by said ordinance authorized; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln :

§ 1. That for the purpose of paying the cost of paving certain streets and alleys and parts of streets and alleys in paving district number fourteen (14), of said city, exclusive of intersections and spaces opposite alleys, there be now issued ten district paving bonds of district No. 14, in the aggregate sum of ten thousand and two hundred dollars (\$10,200), all to bear date of November 1, 1891, to be numbered, and of denominations, and to mature as follows:

- No. 2, for \$1,000, to become due November 1, 1892.
- No. 4, for \$1,000, to become due November 1, 1893.
- No. 5, for \$1,000, to become due November 1, 1894.
- No. 8, for \$1,000, to become due November 1, 1895.
- No. 10, for \$1,000, to become due November 1, 1896.
- No. 12, for \$1,000, to become due November 1, 1897.
- No. 15, for \$1,000, to become due November 1, 1898.
- No. 19, for \$1,000, to become due November 1, 1899.
- No. 22, for \$1,000, to become due November 1, 1900.
- No. 25, for \$1,200, to become due November 1, 1900.

Said bonds to bear interest at six per cent per annum, payable annually, the interest to be evidenced by proper coupons attached to said bonds, and both principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of the principal and interest of said bonds the faith and credit of said city of Lincoln and its property and revenues are hereby pledged, and the Mayor and Clerk are hereby directed to execute said bonds as herein provided.

§ 2. That it is the intention to provide by this ordinance for the issue at this time of such bonds, and such only, as have not heretofore been issued of those authorized by the ordinances hereinbefore recited, approved September 25, 1890, and October 28, 1890.

§ 3. That an ordinance entitled "An ordinance to amend so much of an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving district Nos. 10 and 14, in said city, exclusive of intersections and spaces opposite alleys,' ap-

proved September 25, 1890, as provides for the issue of district paving bonds in paving district No. 14, in said city, and to provide for the reissue of twenty-four bonds of one thousand dollars each and one of twelve hundred dollars, bearing date of October 1, 1890, issued under an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving district Nos. 10 and 14, in the city, exclusive of intersections and spaces opposite alleys,' approved September 29, 1890, and to repeal so much of an ordinance entitled 'An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving district Nos. 10 and 14, in said city, exclusive of intersections and spaces opposite alleys,' approved September 25, 1890, as provides for the issue of paving bonds for the purpose of paying the cost of paving in paving district No. 14, in said city," be and the same is hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 30, 1891. Approved November 2, 1891. Published in *Laborer* November 7, 1891.]

AN ORDINANCE authorizing the issuing of twelve bonds to provide for the payment of the paving in paving district No. 1, in the city of Lincoln, Lancaster county, Nebraska, and for the purpose of providing for the payment of such bonds and the interest thereon, and to raise a tax for the payment of such bonds and interest.

Be it ordained by the Mayor and City Council of the City of Lincoln, Nebraska:

1501. § 1. WHEREAS, On the 9th day of April, 1887, the City Council, by ordinance duly approved on said date, created paving district No. 1 in said city of Lincoln; and

WHEREAS, Said ordinance was amended by an ordinance approved June 6th, 1887, and thereafter the property owners in said paving district, so created, duly petitioned the City Council for paving the said district, and said petition being properly considered was granted, and such paving was ordered by ordinance duly approved on the 19th day of April, 1887, and the contract of such work let, and the work performed, and the paving in said district has been completed; and,

WHEREAS, The actual cost of paving in such district, as as-

sessed against the property, amounts in an aggregate to \$101,312.91; and,

WHEREAS, Bonds were issued for paying for the paving of this district in the sum of \$90,000.00 by an ordinance duly approved August 10th, 1887, and on October 7th, 1887, and it therefore appears, and is a fact, that the cost of the paving in said district exceeds the amount of bonds issued for such work in the sum of \$11,312.91.

§ 2. That for the purpose of paying for the cost of paving the several streets and alleys in paving district No. 1, in the city of Lincoln, Nebraska, the Mayor and City Clerk of said city, be and they are hereby authorized and directed to issue and execute the bonds of the city of Lincoln, Nebraska, to-wit: for the purpose of paying the cost of paving in said district No. 1, twelve bonds, eleven of which shall be of the denomination of one thousand dollars each, and one bond for the sum of \$312.91, which bonds shall be known as "District paving bonds of paving district No. 1," and shall be numbered respectively from ninety-one to one hundred two inclusive, and shall become due on the 1st day of June, 1902, and each of said bonds shall have proper interest coupons attached thereto.

§ 3. And all and each of said bonds shall be dated and bear interest from the 1st day of June, 1892, at the rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York, and for the payment of said bonds, principal and interest, the property, revenue, and faith of the city of Lincoln are hereby pledged.

§ 4. That a special tax and assessment, levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 5. And this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 17, 1892. Approved May 20, 1892.]

AN ORDINANCE authorizing the issue of district paving bonds for the city of Lincoln for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys in paving district No. 12 of said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and City Council of the City of Lincoln:

1503. § 1. WHEREAS, On the the 21st day of January, 1890, the said Council of the city of Lincoln, Nebraska, by ordinance, created paving district No. 12, and afterwards, by ordinance approved December 31st, 1890, said Council amended the original ordinance and changed the boundaries of said district, and by said last ordinance formed said paving district No. 12 so as to include all that territory within the corporate limits of the said city of Lincoln, to-wit: All that part of Seventeenth street in said city from the south line of L street to the north line of South street, and the property on both sides of that part of Seventeenth street to the depth of one hundred and fifty feet, and thereafter the owners of lots or lands abutting upon the streets within said paving district representing more than three-fifths of all front feet thereon petitioned the said Council to have said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted, and the City Council, by resolution approved February 2, 1891, and after an estimate of said work had been made, ordered said work done as prayed for in the petition of said property owners, and thereafter such work was advertised for, to be done by the best and lowest bidder, and the contract for such work was let by said Council to John A. Buckstaff as the best and lowest bidder, and said work is now being done, and there is no funds or money to pay for the same, except it be raised by issuing paving bonds as authorized by the statutes of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the costs of grading, curbing, and paving the several streets in said district, excepting intersections of streets and spaces opposite alleys in the said paving district, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid costs in paving district No. 12, sixty bonds of nine hundred dollars each, to be called "District paving bonds of district No. 12," and numbered respectively from one to sixty, inclusive, said bonds to become due as follows:

Six of said bonds due October 1st, 1893.

Six of said bonds due October 1st, 1894.

Six of said bonds due October 1st, 1895.

Six of said bonds due October 1st, 1896.

Six of said bonds due October 1st, 1897.

Six of said bonds due October 1st, 1898.

Six of said bonds due October 1st, 1899.

Six of said bonds due October 1st, 1900.

Six of said bonds due October 1st, 1901.

Six of said bonds due October 1st, 1902.

And each of said bonds to have proper interest coupons thereto attached. And all interest bonds to be dated October 1st, 1892, and shall bear interest from the date of delivery thereof, at the rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska, in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on said property in said district to cover said cost of grading, curbing, and paving therein shall constitute a sinking fund for the payment respectively of all said bonds and interest thereon.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 26, 1892. Published in *Sun* August 27, 1892.]

AN ORDINANCE authorizing the further issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of grading, curbing, and paving the several streets and alleys in paving district No. 9 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1504. § 1. That, WHEREAS, on the 4th day of May, 1888, the City Council of Lincoln, Nebraska, by ordinance created paving district No. 9, and afterwards by ordinance approved March 11, 1890, said Council amended the original ordinance and changed the boundaries of said district, and by ordinance approved July 9, 1890, said Council amended the boundaries of said district, and by said last ordinance formed such paving district No. 9 so as to include all that territory within the corporate limits of the said city of Lincoln, Nebraska, lying on that part of 27th street, in said city, from the south line of O street to the south line of Y street and the property on both sides of said part of 27th street to the depth of 150 feet, and thereafter a ma-

jority of the owners of property owning a majority of the front feet of property so abutting the said part of 27th street in said pavidistrict petitioned the said Council to have the said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted, and the said Council by ordinance approved July 10th, 1890, and after an estimate of said work had been made, ordered said work done as prayed for in said petition of said property owners, and thereafter said work was advertised for to be done by the best and lowest bidder, and the contract was let by said Council to John A. Buckstaff as such bidder;

§ 2. WHEREAS, When said work had been completed from O to Vine streets, in said city, the City Council of said city, by ordinance entitled "An ordinance authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving, curbing, and grading the several streets and in paving district No. 9 in said city, exclusive of intersections and spaces opposite alleys," approved August 5th, 1891, caused to be issued the coupon bonds of said city for the payment of the work done in that part of said district to the amount of \$30,000;

§ 3. AND WHEREAS, The balance of said work in said paving district has now been completed, and there are no funds or money to pay for the same, except to raise it by issuing district paving bonds of said district as authorized by the statutes of the state of Nebraska:

§ 4. Now, therefore, and for the purpose of paying costs of grading, curbing, and paving the balance of the several streets and alleys and parts of streets and alleys respectively in said paving district, excepting intersections and spaces opposite alleys, the Mayor and City Clerk of the city of Lincoln be and hereby are authorized and directed to issue the bonds of said city of Lincoln, to-wit: For the purpose of paying the aforesaid costs in paving district No. 9, ten bonds of \$700 each, to be called "District paving bonds of district No. 9," and numbered respectively from 31 to 40 inclusive, said bonds to become due as follows:

One of said bonds due October 1st, 1893.

One of said bonds due October 1st, 1894.

One of said bonds due October 1st, 1895.

One of said bonds due October 1st, 1896.

One of said bonds due October 1st, 1897.

One of said bonds due October 1st, 1898.

One of said bonds due October 1st, 1899.

One of said bonds due October 1st, 1900.

One of said bonds due October 1st, 1901.

One of said bonds due October 1st, 1902.

And each of said bonds to have interest coupons thereto attached. All of said bonds to be dated October 1st, 1892, and to bear interest from the date of delivery thereof at the rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska, in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 5. And the special tax and assessments to be levied on the property in said district, to cover said costs of grading, curbing, and paving therein, shall constitute a sinking fund for the payment, respectively, of the bonds and interest thereon.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 26, 1892. Published in *Sun* August 26, 1892.]

AN ORDINANCE authorizing the issue of alley paving bonds of the city of Lincoln for the purpose of paying the costs of grading, curbing, and paving alley paving district number four (4) in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln :

1505. § 1. WHEREAS, The Council of said city of Lincoln by ordinance heretofore duly approved, created alley paving district number four (4), and included therein certain territory within the corporate limits of said city, and thereafter a legal majority of the owners of property owning three-fifths of the front feet of property so abutting upon the alleys in said district petitioned the City Council to have said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted by the said Council by ordinance duly approved, and after an estimate of said work had been made, ordered said work done as prayed for in the petition of said property owners, and thereafter such work was advertised for to be done by the best and lowest bidder, and thereafter the contract for such work was let by said Council to John A. Buckstaff as the best and lowest bidder, and such work is now being done and there are no funds or money to pay for the same ex-

cept it be raised by issuing alley paving bonds as authorized by statute of the state of Nebraska:

§ 2. Now, therefore, and for the purpose of paying the costs of grading, curbing, and paving the several alleys and parts of alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in alley paving district number four (4), ten bonds of four hundred dollars each, to be called "Alley paving bonds of alley paving district number (4) four," and numbered respectively from one (1) to ten (10), inclusive, said bonds to become due as follows:

One of said bonds due November 1, 1893.

One of said bonds due November 1, 1894.

One of said bonds due November 1, 1895.

One of said bonds due November 1, 1896.

One of said bonds due November 1, 1897.

One of said bonds due November 1, 1898.

One of said bonds due November 1, 1899.

One of said bonds due November 1, 1900.

One of said bonds due November 1, 1901.

One of said bonds due November 1, 1902.

And each of said bonds to have proper interest coupons attached thereto, and all of said bonds to be dated November 1, 1892, and all to bear interest from the date thereof at a rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district, to cover said cost of grading, curbing, and paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par, and all ordinances inconsistent herewith are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 25, 1892. Approved October 27, 1892. Published in *Call* October 30, 1892.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys in paving district number twenty-four (24) in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln :

§ 1. That, WHEREAS, on the 24th day of August, 1892, the Council of the city of Lincoln, Nebraska, by ordinance approved by the Mayor August 25, 1892, created paving district number twenty-four (24) so as to include all that territory within the corporate limits of the city of Lincoln, Nebraska, lying on that part of North Fourteenth street, in said city, from the north side of U street to the south side of Clairmont street and the property on both sides of said part of said North Fourteenth street to the depth of 150 feet, and thereafter a three-fifths majority of the owners of property owning a three-fifths majority of the front feet of property so abutting upon said part of North Fourteenth street, in said paving district, petitioned the City Council to have said district paved with two courses of brick on sand, which petition was considered and the prayer thereof granted, and the said Council by ordinance approved according to law, and after an estimate of said work had been made, ordered said work done as prayed for in the petition of said property owners, and thereafter such work was advertised for to be done by the best and lowest bidder, and thereafter the contract for such work was let by said Council to John A. Buckstaff as the best and lowest bidder, and such work is now being done and there are no funds or money to pay for the same except it be raised by issuing district paving bonds as authorized by statute of the state of Nebraska :

§ 2. Now, therefore, and for the purpose of paying the costs of grading, curbing, and paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district in the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number twenty-four (24), thirty bonds of seven hundred and fifty dollars each, to be called "District paving bonds of district number twenty-four (24)," and numbered respectively from one (1) to thirty (30), inclusive, said bonds to become due as follows :

Three of said bonds due November 1, 1893.

Three of said bonds due November 1, 1894.

Three of said bonds due November 1, 1895.

Three of said bonds due November 1, 1896.

Three of said bonds due November 1, 1897.

Three of said bonds due November 1, 1898.

Three of said bonds due November 1, 1899.

Three of said bonds due November 1, 1900.

Three of said bonds due November 1, 1901.

Three of said bonds due November 1, 1902.

And each of said bonds to have interest coupons thereto attached, and all of said bonds to be dated November 1, 1892, and all to bear interest from the date thereof at the rate of six per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 3. That the special taxes and assessments to be levied on the property in said district, to cover said cost of grading, curbing, and paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par, and all ordinances inconsistent herewith are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 25, 1892. Approved October 27, 1892. Published in *Call* October 30, 1892.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys in paving district number (21) twenty-one in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1506. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number twenty-one (21), ten bonds of seven hundred and seventy-five dollars (\$775.00), each to be called district paving bonds of district number twenty-one (21), and numbered

respectively from one to ten inclusive, said bonds to become due as follows:

One of said bonds due December first, 1893.

One of said bonds due December first, 1894.

One of said bonds due December first, 1895.

One of said bonds due December first, 1896.

One of said bonds due December first, 1897.

One of said bonds due December first, 1898.

One of said bonds due December first, 1899.

One of said bonds due December first, 1900.

One of said bonds due December first, 1901.

One of said bonds due December first, 1902.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated December first, 1892, and all to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district to cover said cost of paving therein shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed November 29, 1892. Approved December 2, 1892. Published in *Call* December 4, 1892.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving district number twenty-two (22) in the city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1507. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit:

For the purpose of paying the aforesaid cost in paving district number twenty-two (22), ten bonds of three hundred and ninety dollars (\$390) each, to be called "District paving bonds of district number twenty-two (22)," and numbered respectively from one to ten, inclusive, said bonds to become due as follows:

One of said bonds due December first, 1893.

One of said bonds due December first, 1894.

One of said bonds due December first, 1895.

One of said bonds due December first, 1896.

One of said bonds due December first, 1897.

One of said bonds due December first, 1898.

One of said bonds due December first, 1899.

One of said bonds due December first, 1900.

One of said bonds due December first, 1901.

One of said bonds due December first, 1902.

And each of said bonds to have proper coupons thereto attached, and all of said bonds to be dated December first, 1892, and all to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of the said bonds and the interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed November 29, 1892. Approved December 2, 1892
Published in *Call* December 4, 1892.]

AN ORDINANCE authorizing the issue of paving bonds in the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving district number eighteen in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1508. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are

hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number eighteen, forty-five bonds of five hundred dollars each, to be called "District paving bonds of district number eighteen," and numbered respectively from one to forty-five, inclusive, said bonds to become due as follows:

Five of said bonds due July 1st, 1894.

Five of said bonds due July 1st, 1895.

Five of said bonds due July 1st, 1896.

Five of said bonds due July 1st, 1897.

Five of said bonds due July 1st, 1898.

Five of said bonds due July 1st, 1899.

Five of said bonds due July 1st, 1900.

Five of said bonds due July 1st, 1901.

Five of said bonds due July 1st, 1902.

And each of said bonds to have proper interest coupons attached thereto.

And all of said bonds to be dated the first day of July, 1893, and to bear interest from the date thereof at the rate of six (6) per cent per annum, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 25, 1893. Approved April 29, 1893. Published in *Journal* May 4, 1893.]

AN ORDINANCE authorizing the issue of paving bonds in the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys in paving district number twenty-five in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1509. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln herein-

after specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number twenty-five, nine bonds of nine hundred fifty dollars each to be called "District paving bonds of district number twenty-five," and numbered respectively, from one to nine inclusive, said bonds to become due as follows:

One of said bonds due July 1st, 1894.

One of said bonds due July 1st, 1895.

One of said bonds due July 1st, 1896.

One of said bonds due July 1st, 1897.

One of said bonds due July 1st, 1898.

One of said bonds due July 1st, 1899.

One of said bonds due July 1st, 1900.

One of said bonds due July 1st, 1901.

One of said bonds due July 1st, 1902.

And each of said bonds to have proper interest coupons attached thereto.

And all of said bonds to be dated the first day of July, 1893, and to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 25, 1893. Approved April 29, 1893 Published in *Journal* May 4, 1893.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets in paving district No. 26 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1510. § 1. That for the purpose of paying the cost of paving the several streets and parts of streets respectively, excepting the intersections of streets and spaces opposite alleys, in the

paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district No. 26, eighteen bonds of six hundred and fifty dollars each, to be called "District paving bonds of district No. 26," and numbered respectively from one (1) to eighteen (18), inclusive, said bonds to become due as follows:

Two of said bonds due July 1st, 1894.

Two of said bonds due July 1st, 1895.

Two of said bonds due July 1st, 1896.

Two of said bonds due July 1st, 1897.

Two of said bonds due July 1st, 1898.

Two of said bonds due July 1st, 1899.

Two of said bonds due July 1st, 1900.

Two of said bonds due July 1st, 1901.

Two of said bonds due July 1st, 1902.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated July 1st, 1893, and all bear interest of the rate of six (6) per cent per annum, payable annually, principal and interest payable at fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 3, 1893. Approved July 7, 1893. Published in *Call* July 7, 1893.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets in paving district No. 11 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1511. § 1. That for the purpose of paying the cost of paving the several streets and parts of streets respectively, excepting intersections of streets and spaces opposite alleys, in the paving

district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district No. 11, nine bonds of \$600.00 each, to be called "District paving bonds of district No. 11," and numbered respectively from one (1) to nine (9), inclusive, said bonds to become due as follows:

One of said bonds due July 1st, 1894.

One of said bonds due July 1st, 1895.

One of said bonds due July 1st, 1896.

One of said bonds due July 1st, 1897.

One of said bonds due July 1st, 1898.

One of said bonds due July 1st, 1899.

One of said bonds due July 1st, 1900.

One of said bonds due July 1st, 1901.

One of said bonds due July 1st, 1902.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated July 1st, 1893, and all to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in the said district, to cover said cost of paving therein, shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage and approval and publication according to law.

[Passed July 3, 1893. Approved July 7, 1893. Published in *Call* July 7, 1893.]

AN ORDINANCE authorizing the issuance of paving bonds in the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys in paving district number 23 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln:

1512. § 1. That for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys,

in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of the city of Lincoln be and are hereby authorized and directed to issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number 23, eighteen bonds of six hundred and seventy-five dollars each, to be called "District paving bonds of district number twenty-three," and numbered respectively from one (1) to eighteen (18), inclusive, said bonds to become due as follows:

Two of said bonds due July 1st, 1894.

Two of said bonds due July 1st, 1895.

Two of said bonds due July 1st, 1896.

Two of said bonds due July 1st, 1897.

Two of said bonds due July 1st, 1898.

Two of said bonds due July 1st, 1899.

Two of said bonds due July 1st, 1900.

Two of said bonds due July 1st, 1901.

Two of said bonds due July 1st, 1902.

And each of said bonds to have proper interest coupons attached thereto, and all of said bonds to be dated the 1st day of July, 1893, and to bear interest from the date thereof at the rate of six (6) per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in the said district to cover said cost of paving therein shall constitute a sinking fund for the payment respectively of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 3, 1893. Approved July 7, 1893. Published in *Call* July 7, 1893.]

AN ORDINANCE authorizing the reissue and delivery of district paving bonds of the city of Lincoln, Nebraska, to the amount of \$62,000.00 on paving districts numbered one, two, four, five, six, eight, and nine, in said city, to exchange for or pay the same amount of bonds heretofore issued and delivered in said districts.

1513. WHEREAS, By reason of the delay in the construction of the paving in districts numbered one, two, four, five, six, eight, and nine, in the city of Lincoln, Nebraska, and the levy of the cost

thereof on abutting property to meet the payment of the bonds issued in said several districts; and

WHEREAS, By such delay bonds in each of said districts become due before the assessment levied to meet the payment thereof will become due and payable; and

WHEREAS, Because said assessments are not payable and paid, and there is no fund in the treasury to meet the same, the payment of said bonds to said amount will be in default on the first days of June, July, and September, of the year 1894: therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That under the provisions of an act of the Legislature of the state of Nebraska entitled "An act to incorporate cities of the first class and regulate their duties, powers, government, and remedies," approved March 29, 1889, and amendments thereto, the city of Lincoln be and is hereby authorized to reissue and deliver sixty-two coupons bonds of said city, dated June 1st, 1894, in denominations of one thousand dollars each, to the total amount of sixty-two thousand dollars, each bond payable to bearer five years after date, for the purpose of exchanging for or redeeming sixty-two thousand dollars of district paving bonds of said city heretofore by ordinance issued on paving districts numbered one, two, four, five, six, eight, and nine, in said city. Said bonds under this ordinance shall state the purpose for which they are issued, and shall bear interest at the rate of six per cent per annum, payable annually, which interest shall be evidenced by coupons attached to said bonds, principal and interest to be payable at the fiscal agency of the state of Nebraska in the city of New York, said bonds and coupons to be signed by the Mayor and City Clerk of said city, and the seal of said city affixed to each of said bonds.

§ 2. The said bonds shall be a portion of the several series of paving bonds issued on said districts, the number of said bonds to be reissued for each of said districts to be as follows:

For paving district number one (1), ten bonds.

For paving district number two (2), fifteen bonds.

For paving district number four (4), six bonds.

For paving district number five (5), twelve bonds.

For paving district number six (6), ten bonds.

For paving district number eight (8), six bonds.

For paving district number nine (9), three bonds.

§ 3. The bonds issued under this ordinance shall be by the

City Treasurer exchanged for the bonds of the same district when the same can be done, and when so exchanged the old bond shall be taken up and canceled; but when such exchange cannot be effected, then the Mayor and Council shall be authorized to sell said bonds at not less than par and the proceeds thereof used for the payment of the bonds outstanding and becoming due on the same district. That none of said bonds or any of the proceeds of the sale thereof shall be used for any other purpose than the redemption or payment of a like amount of bonds in each of said districts.

§ 4. The special taxes and assessments heretofore levied on the property of each of said districts respectively, to cover the cost of paving therein, shall be and remain a sinking fund for the payment of the bonds issued under the provisions of this ordinance the same as the payment of the bonds for which these are to substitute or pay.

§ 5. This ordinance shall take effect and be in force from and after the passage, approval, and publication according to law.

[Passed May 8, 1894. Approved May 10, 1894. Published in *Journal* May 11, 1894.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving district No. 18 in said city, exclusive of intersections and spaces opposite alleys.

1514. WHEREAS, The cost of paving district No. 18 was \$25,435.60; and

WHEREAS, Bonds have heretofore been issued for the payment of the cost of paving in the said district to the amount of \$22,500.00, and the cost of paving said district there is still unprovided for the sum of \$2,935.60: now therefore,

Be it ordained by the Mayor and City Council of the City of Lincoln:

§ 1. That for the purpose of paying the cost of paving the several streets and alleys, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and are hereby authorized and directed to issue the bonds of said city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district No. 18, six bonds of \$500.00 each, to be called "District paving bonds of district No. 18," and numbered respectively from one (1) to six (6), inclusive, said bonds to become due as follows:

Three of said bonds due October 1, 1903.

Three of said bonds due October 1, 1904.

And each of said bonds to have proper interest coupons thereto attached. All of said bonds to be dated October 1, 1894, and to bear interest from the date thereof at the rate of 6 per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments heretofore levied on the property in said district, to cover cost of said paving therein, shall constitute a sinking fund for the payment of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed September 17, 1894. Approved September 19, 1894. Published in *Journal* September 21, 1894.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the costs of paving the several streets and alleys in paving district No. 23 in said city, exclusive of intersections and spaces opposite alleys.

1515. WHEREAS, The costs of paving district No. 23 was \$13,047.18; and

WHEREAS, Bonds have heretofore been issued for the payment of the cost of paving in the said district to the amount of \$12,150.00, and of the cost of paving said district there is still unprovided for the sum of \$897.18: now, therefore,

Be it ordained by the Mayor and City Council of the City of Lincoln:

§ 1. That for the purpose of paying the cost of paving the several streets and alleys, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and are hereby authorized and directed to issue the bonds of said city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district twenty-three, two bonds of \$500 each, to be called "District paving bonds of district twenty-three," and numbered respectively from one (1) to two (2) inclusive, said bonds to become due as follows:

One of said bonds due October 1, 1903.

One of said bonds due October 1, 1904.

And each of said bonds to have proper interest coupons thereto attached. All of said bonds to be dated October 1, 1894, and to bear interest from the date thereof at the rate of 6 per cent per annum, payable annually, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for the payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments hertofore levied on the property in said district, to cover cost of said paving therein, shall constitute a sinking fund for the payment of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed September 17, 1894. Approved September 19, 1894. Published in *Call* September 21, 1894.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving district number 26 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and City Council of the City of Lincoln, Nebraska:

1516. § 1. That for the purpose of paying the cost of paving in the several streets and alleys and parts of streets and alleys respectively, excepting intersections of streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and are hereby authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district number 26, ten bonds of thirteen hundred dollars each, to be called "District paving bonds of district number 26," and numbered respectively from one to ten, inclusive, said bonds to become due as follows:

One of said bonds due December 1, 1895.

One of said bonds due December 1, 1896.

One of said bonds due December 1, 1897.

One of said bonds due December 1, 1898.

One of said bonds due December 1, 1899.

One of said bonds due December 1, 1900.

One of said bonds due December 1, 1901.

One of said bonds due December 1, 1902.

One of said bonds due December 1, 1903.

One of said bonds due December 1, 1904.

And each of said bonds to have proper interest coupons thereto attached.

And all of said bonds to be dated December 1, 1894, and all to bear interest from the date thereof at the rate of six per cent per annum, payable annually, with interest coupons thereto attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special taxes and assessments to be levied on the property in said district, to cover said costs of paving therein, shall constitute a sinking fund for the payment of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 8, 1894. Approved October 9, 1894. Published in *Courier* October 13, 1894.]

AN ORDINANCE authorizing the issue of district paving bonds of the city of Lincoln for the purpose of paying the cost of paving the several streets and alleys and parts of streets and alleys in paving district No. 26 in said city, exclusive of intersections and spaces opposite alleys.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1517. § 1. That for the purpose of paying the cost of paving in the several streets and alleys and parts of streets and alleys respectively, excepting intersections and streets and spaces opposite alleys, in the paving district of the city of Lincoln hereinafter specified, the Mayor and City Clerk of said city be and are hereby authorized and directed to execute and issue the bonds of the city of Lincoln, to-wit: For the purpose of paying the aforesaid cost in paving district No. 26, ten bonds of one thousand dollars each and ten bonds of three hundred dollars each, to be called "District paving bonds of district No. 26," and numbered respectively from one to ten, inclusive, said bonds to become due as follows:

One bond of \$1,000 and one bond of \$300.00 due December 1, 1895.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1896.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1897.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1898.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1899.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1900.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1901.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1902.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1903.

One bond of \$1,000 and one bond of \$300.00 due December 1, 1904.

And each of said bonds to have proper interest coupons thereto attached, and all of said bonds to be dated December 1, 1894, and all to bear interest from the date thereof at the rate of six per cent per annum, payable with interest coupons thereto attached, principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York; and for payment of said bonds, principal and interest, the faith of the city of Lincoln, its property, and its revenues are hereby pledged.

§ 2. That the special assessments and taxes to be levied on the property in said district, to cover said costs of paying therein, shall constitute a sinking fund for the payment of said bonds and interest thereon, and said bonds shall not be sold for less than par.

§ 3. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed January 7, 1895. Approved January 10, 1895. Published in *News* January 11, 1895.]

ARTICLE III.

Intersection Bonds.

AN ORDINANCE calling a special election in the city of Lincoln, Lancaster county, Neb., to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used for paying for the cost of paving, repaving, or macadamizing the intersections of streets and alleys in the city of Lincoln, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same become due and payable.

Be it ordained by the Mayor and Council of the City of Lincoln:

1518. § 1. A special election is hereby called to be held in the city of Lincoln, county of Lancaster, state of Nebraska, on the 9th day of May, 1887, at the places hereinafter specified in the several wards of said city, for the purpose of enabling the legal voters of said city to vote upon the following propositions, to-wit: Shall the Mayor and Council of the city of Lincoln, Lancaster county, Neb., have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying for the cost of paving, repaving, macadamizing, the intersections of streets and alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.

§ 2. The bonds proposed by the proposition contained in section one hereof shall draw interest at the rate of five per cent per annum from the date of their delivery, payable semi-annually at the fiscal agency in the city of New York, said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer twenty years after date, and shall bear date of the 1st day of July, and shall be payable at the option of said city after five years from date, interest payable semi-annually, January 1 and July 1 of each year.

§ 3. Before negotiating the sale of said bonds the Mayor and Council shall invite bids therefor by giving four weeks' notice thereof in such newspapers as to them may seem for the best interests of said city. Said notice shall reserve to the Mayor and Council the right to reject any and all bids that shall be received therefor. The bonds shall be sold for cash to the highest responsible bidder therefor, and in no case shall said bonds be sold below par value.

§ 4. That the proceeds of the sale of said bonds shall be paid to the Treasurer of said city immediately upon the sale thereof, and shall be by said Treasurer placed to the credit of the paving bond fund. Said bonds shall be denominated paving bonds, first series. The money obtained therefor shall be used for the purposes hereinbefore specified, and for no other purpose.

§ 5. It shall be the duty of the Mayor and Clerk of said city, when so authorized by an ordinance duly passed by the Mayor and Council of the said city of Lincoln, to sign and attest said bond, and to fix thereto the seal of said city.

§ 6. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln, shall be as follows, to-wit:

In the First ward, at engine house No. 2.

In the Second ward, at engine house No. 1.

In the Third ward, at Green's lumber office.

In the Fourth ward, at Howard's carpenter shop.

In the Fifth ward, at Geissler's store.

In the sixth ward, at station house street car company, on R and Twenty-seventh streets.

The ballots voted at such election shall have written or printed thereon the words: "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have the power to borrow money, and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying the cost of paving, repaving, or macadamizing, the intersections of streets and alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes." Or, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money, and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying for the cost of paving, repaving, or macadamizing the intersections of streets and alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? No."

§ 7. Should the majority of the ballots cast at such election upon said proposition have written or printed thereon, or partly written or partly printed thereon, the words, "Shall the Mayor

and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding \$100,000, to be used in paying for the cost of paving, repaving, or macadamizing the intersections of streets and alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes;" then the foregoing proposition may be considered as adopted, and the Mayor and Council of said city shall have power to issue such bonds and levy such tax at the time and for the purposes and upon the conditions specified in this ordinance.

§ 8. There shall be three judges and two clerks appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks for city officers. The returns of said elections shall be made to the Mayor and City Council of said city, who shall canvass the vote and declare the result thereof at the first regular or special meeting after such election, or as soon as practicable.

§ 9. The proposition herein submitted for the issuance of such bonds, and levying the tax herein provided, shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 10. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continue open until 7 o'clock in the afternoon of the same day.

§ 11. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed April 7, 1889. Approved April 9, 1889.

AN ORDINANCE calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used for paying for the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in the city of Lincoln, and to levy a tax upon the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same becomes due and payable.

Be it ordained by the Mayor and Council of the City of Lincoln:

1519. § 1. A special election is hereby called to be held in the city of Lincoln, county of Lancaster, and state of Nebraska, on the third day of April, 1888, at the places hereinafter specified

in the several wards of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit: Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying for the cost of paving and repaving, or macadamizing, the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable?

§ 2. The bonds proposed by the proposition contained in section 1 hereof, shall draw interest at the rate of five per cent per annum from the date of their delivery, payable semi-annually at the fiscal agency of the state of Nebraska in the city of New York, said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer twenty years after date, and shall bear date on the first day of July, 1888, and shall be payable at the option of said city after five years from date, interest payable semi-annually, January first and July first of each year.

§ 3. Before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor, by giving four weeks' notice in such newspaper as to them may seem for the best interests of said city. Said notice shall reserve to the Mayor and Council the right to reject any and all bids that may be received therefor.

The bonds shall be sold for cash to the highest bidder therefor, and in no case shall said bonds be sold below par value.

§ 4. That the proceeds of the sale of said bonds shall be paid to the Treasurer of said city immediately upon the sale thereof, and shall be by said Treasurer placed to the credit of the paving-bond fund. Said bonds shall be denominated paving bonds, series No. 2. The money obtained therefor shall be used for the purposes hereinbefore specified, and for no other purpose.

§ 5. It shall be the duty of the Mayor or Clerk of said city, when so authorized by an ordinance duly passed by the Mayor and Council of the said city of Lincoln, to sign and attest said bonds, and affix thereto the seal of said city.

§ 6. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln, shall be as follows, to-wit:

In the First ward, at engine house No. 2.

In the Second ward, at engine house No. 1.

In the Third ward, at Green's lumber office.

In the Fourth ward, at Howard's carpenter shop.

In the Fifth ward, at Geissler's store.

In the Sixth ward, at Crystal Steam Laundry.

The ballots voted at such election shall have written or printed thereon the words: "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have the power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying the costs of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes." Or, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln, upon its negotiable bonds, to an amount not exceeding one hundred thousand dollars, to be used in paying the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable? No."

§ 7. Should the majority of the ballots cast at such an election upon said proposition have written or printed thereon, or partly written or partly printed thereon the words: "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln, upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used in paying the cost of paving, repaving, or macadamizing the intersection of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes sufficient to pay the interest and principal on said bonds as they may become due and payable? Yes;" then the foregoing proposition may be considered as adopted, and the Mayor and Council of said city shall have power to issue such bonds and levy such tax for the purposes and upon the conditions specified in this ordinance.

§ 8. There shall be three judges and two clerks appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election, which devolve upon judges and clerks for city officers. The returns of said election shall be made to the Mayor and Council of said city, who shall canvass the vote and declare the result thereof at the first regular or special meeting after such election, or as soon as practicable.

§ 9. The proposition herein submitted for the issuance of such bonds and levying the tax herein provided, shall be published for at least four weeks in a newspaper, published and of general circulation in said city.

§ 10. The polls of the election hereby called shall be opened at 9 o'clock in the forenoon and continue open until 7 o'clock in the afternoon of the said day.

§ 11. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved this 21st day of February, 1888.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city, as expressed at a special election called by an ordinance approved February 21, 1888.

1520. WHEREAS, A special election was held in the city of Lincoln on the 3d day of April, 1888, to vote upon a proposition submitted by an ordinance entitled "An ordinance calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used for paying for the cost of paving, repairing, or macadamizing the intersections of streets and spaces opposite alleys in the city of Lincoln, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due and payable," approved February 21, 1888, and published according to law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by more than a two-thirds majority of all the votes cast at said election; therefore,

Be it ordained by the Mayor and City Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds, in denominations of \$1,000 each, to the amount of \$100,000.00, payable to bearer twenty years after date and redeemable at the pleasure of said city at any time after five years from their date, said bonds to be dated on the 1st day of July, 1888, and to draw interest from date at the rate of 5 per cent per annum, payable semi-annually, January 1 and July 1 of each year, at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. The said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. Said bonds when executed shall be turned over to the City Treasurer, who is hereby authorized to deliver said bonds to the person or persons to whom the sale of said bonds may be awarded by the Mayor and Council of said city, on payment into the city treasury of the purchase price of said bonds.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved May 31, 1888.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city, as expressed at a special election called by an ordinance approved April 9, 1887.

1521. WHEREAS, A special election was held in the city of Lincoln on the 9th day of May, 1887, to vote upon a proposition submitted by an ordinance entitled, An ordinance calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding one hundred thousand dollars, to be used for paying the cost of paving, repaving, or macadamizing the intersections of streets and alleys in the city of Lincoln, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same become due and payable, approved April 9, 1887, and was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all the votes cast at said election; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of \$1,000 each to the amount of \$100,000.00, payable to bearer twenty years after date, and redeemable at the pleasure of said city at any time after five years from their date, and said bonds to be dated on the 1st day of July, 1887, and to draw interest from date at five per cent per annum, payable semi-annually, January 1 and July 1 of each year, at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. The said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved this 23d day of May, A. D. 1887.

AN ORDINANCE calling an election to secure the consent of the legal voters of the city of Lincoln to the issuance of negotiable bonds of said city to the amount of \$100,000 for the purpose of paying the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1522. § 1. That an election is hereby called to be held in the city of Lincoln, Nebraska, on the 26th day of June, 1890, at the places hereinafter specified in the several wards, for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit: Shall the Mayor and Council of the city of Lincoln, Nebraska, have power to borrow money and pledge the property of said city upon its negotiable bonds, to an amount not exceeding \$100,000 dollars, to be used to defray the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due?

§ 2. The bonds proposed by the proposition contained in section one hereof shall be known as "Paving bonds, third series," shall draw interest at the rate of five per cent per annum from

the date of their delivery, payable semi-annually at the fiscal agency of the state of Nebraska in the city of New York, said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer, twenty years after date, and shall bear date as follows: August 1, 1890. Interest coupons to bear dates of January 1st and July 1st, and shall be payable at the option of the city ten years from date, interest payable every six months after date.

§ 3. Before negotiating the sale of said bonds the Mayor and Council shall invite bids therefor, by published notices in such newspapers as to them shall seem for the best interest of the city. Said notices shall reserve to the Mayor and Council the right to reject any or all bids. Said bonds shall be sold for cash to the highest bidder, but for not less than par.

§ 4. The vote upon said proposition shall be taken at the following places, to-wit:

First ward, at police station.

Second ward, at Ensign's livery barn.

Third ward, at 1320 O street.

Fourth ward, Lindell hotel.

Fifth ward, Stutheit's grocery.

Sixth ward, Nightingale's store, 27th and O streets.

Seventh ward, Brown's lumber office.

§ 5. The ballots voted at said election shall have written or printed thereon the words, "Shall the Mayor and Council of the city of Lincoln, Nebraska, have the power to borrow money, and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$100,000 to be used to defray the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due? Yes." Or, "Shall the Mayor and Council of the city of Lincoln, Nebraska, have the power to borrow money, and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$100,000 to be used to defray the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due? No."

§ 6. Should the majority of the ballots cast at such election be for said proposition, the Mayor and Council shall have power to issue such bonds and levy such tax for the purpose and upon the conditions specified in this ordinance.

§ 7. The proposition herein submitted for the issuance of such bonds and the levying the tax herein provided shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 8. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 27, 1890. Approved May 27, 1890.]

AN ORDINANCE calling an election to secure the consent of the legal voters of the city of Lincoln to the issuance of negotiable bonds of said city to the amount of \$50,000, for the purpose of paying the costs of paving, repaving, and macadamizing the intersections of streets and spaces opposite alleys in said city.

Be it ordained by the Mayor and Council of the said City of Lincoln :

1524. § 1. That an election is hereby called to be held in the city of Lincoln, Neb., on the 12th day of August, 1892, at the places hereinafter specified in the several wards, for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit: Shall the Mayor and Council of the city of Lincoln, Neb., have power to borrow money, and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$50,000, to be used to defray the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due?

§ 2. The bonds proposed by the proposition contained in section 1 hereof shall be known as "Paving bonds, fourth series," shall draw interest at the rate of 5 per cent per annum from the date of their delivery, payable semi-annually at the fiscal agency of the state of Nebraska in the city of New York, said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn to bearer twenty years after date, and shall bear date as follows: July 1, 1892. Interest coupons to bear dates of January 1 and July 1, and shall be payable, at the option of the city, ten years after date, interest payable every six months after date.

§ 3. Before negotiating the sale of said bonds the Mayor and Council shall invite bids therefor by published notices in such newspapers as to them shall seem for the best interest of the city. Said notices shall reserve to the Mayor and Council the right to reject any or all bids. Said bonds shall be sold for cash to the highest bidder, but not for less than par.

§ 4. The vote upon said propositions shall be taken at the following places, to-wit:

FIRST WARD.

Precinct A—City building.

Precinct B—1024 T street.

Precinct C—828 W street.

SECOND WARD.

Precinct A—Bohanan block.

Precinct B—Court house.

Precinct C—Holmes building, Eleventh street, between H and G streets.

THIRD WARD.

Precinct A—Applegate block.

Precinct B—Gaddis' shop, corner Thirteenth and R streets.

Precinct C—1620 O street.

Precinct D—2220 O street.

Precinct E—Cox building, north side U street, between Thirteenth and Fourteenth streets.

FOURTH WARD.

Precinct A—130 South Twelfth street.

Precinct B—308 South Eleventh street.

Precinct C—Grocery store, Thirteenth and K streets.

Precinct D—Heater & Kinnis, between Twentieth and Twenty-first on O street.

Precinct E—Grocery store, Twentieth and J streets.

FIFTH WARD.

Precinct A—F street engine house.

Precinct B—J. R. Bing's shop.

Precinct C—South street car barn.

Precinct D—Rippe's store.

Precinct E—415 D street.

SIXTH WARD.

Precinct A—S. M. Melick's barn, Twenty-fourth and P streets.

Precinct B—Corner V and Twenty-seventh streets.

Precinct C—Twenty-third and Washington streets.

SEVENTH WARD.

Precinct A—Lincoln City Electric R. R. power house.

Precinct B—869 North Twenty-seventh street.

Precinct C—Byrum's store, Twenty-seventh street.

§ 5. The ballots voted at said election shall have written or printed thereon the words, "Shall the Mayor and Council of the city of Lincoln, Nebraska, have the power to vote, to borrow money and pledge the property of said city, upon its negotiable bonds, an amount not exceeding \$50,000, to be used to defray the costs of paving, repaving, or macadamizing of the intersections of streets and spaces opposite alleys in said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due? Yes," or, "Shall the Mayor and Council of the city of Lincoln, Nebraska, have the power to borrow money and pledge the property of said city, upon its negotiable bonds, to an amount not exceeding \$50,000, to be used to defray the cost of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city, and to levy tax upon the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal of said bonds as the same may become due? No."

§ 6. Should the majority of said ballots cast at such election be for said proposition, the Mayor and Council shall have power to issue such bonds and levy such tax for the purpose and upon the conditions specified in this ordinance.

§ 7. The proposition herein submitted for the issuance of such bonds and the levying the tax herein provided shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 8. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 5, 1892. Approved July 8, 1892. Published in *Journal* and *Sun* July 10, 1892.]

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city, as expressed at a special election called by an ordinance approved July 8th, 1892.

1525. WHEREAS, A special election was held in the city of Lincoln, on the 12th of August, 1892, to vote upon a proposition submitted by an ordinance entitled "An ordinance calling an election to secure the consent of the legal voters of the city of Lincoln to the issuance of negotiable bonds of said city, to the amount of \$50,000, for the purpose of paying the costs of paving, repaving, or macadamizing the intersections of streets and spaces opposite alleys in said city," approved July 8th, 1892, and published according to law;

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a majority of all the votes cast at said election; therefore

Be it ordained by the Mayor and City Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of one thousand dollars each, to the amount of fifty thousand dollars, payable to bearer twenty years after date, and shall be payable at the option of the city ten years after their date, said bonds to be dated July 1st, 1892, and to draw interest from the date of delivery at the rate of five per cent per annum, payable semi-annually, on the first days of January and July of each year, at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. The said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and the attached coupons shall be each signed by the Mayor.

§ 3. Said bonds when so executed shall be turned over to the City Treasurer, who is hereby authorized to deliver said bonds to the person or persons to whom the sale of said bonds may be awarded by the Mayor and City Council of said city, on payment into the city treasury the purchase price thereof.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 25, 1892. Published in *Sun* August 26, 1892.]

ARTICLE IV.

Sewer Bonds.

AN ORDINANCE calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the city of Lincoln, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same become due and payable.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1526. § 1. A special election is hereby called to be held in the city of Lincoln, county of Lancaster, state of Nebraska, on Saturday, the 26th day of June, 1886, at the places hereinafter specified in the several wards in said city for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit:

Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the city of Lincoln, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.

§ 2. The bonds proposed by the proposition contained in section one hereof, shall draw interest at the rate of five (5) per cent per annum from the date of their delivery, payable semi-annually at the fiscal agency in the city of New York, said interest to be evidenced by coupons thereto attached.

Said bonds shall be drawn payable to bearer twenty years after date, and shall bear date upon the day of their delivery, and shall be payable at the option of said city after five years from date.

§ 3. Before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor by giving four weeks' notice thereof in such newspapers as to them may seem to the best interests of said city. Said notice shall reserve to the Mayor and Council the right to reject any and all bids that shall be received therefor. The bonds shall be sold for cash to the highest re-

sponsible bidder therefor, and in no case shall said bonds be sold below par value, nor shall a greater number or amount of said bonds be negotiated or sold than shall be necessary to construct or maintain said trunk and main lines of a system of sewerage for the city of Lincoln, according to the plans and specifications prepared and adopted for said system of sewerage, and now on file in the office of the City Clerk of said city and known as the George E. Waring system.

§ 4. That the proceeds of the sale of said bonds shall be paid to the Treasurer of said city of Lincoln immediately on the sale thereof, and shall be by said Treasurer placed to the credit of the sewerage fund. Said bonds shall be denominated sewerage bonds, first series. The money obtained therefor shall be used for the purposes hereinbefore specified and the necessary expenses connected therewith, and for no other purpose.

§ 5. It shall be the duty of the Mayor and Clerk of said city, when so authorized by an ordinance duly passed by the Mayor and Council of the city of Lincoln, to sign and attest said bonds and affix thereto the seal of said city.

§ 6. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln, shall be as follows to-wit:

In the First ward, at the engine house.

In the Second ward, at the old engine house.

In the Third ward, at the Byer carpenter shop.

In the Fourth ward, at Howard's carpenter shop.

The ballots voted at such election shall have written or printed thereon the words: "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the city of Lincoln, and to levy a tax upon the taxable property of said city of Lincoln in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due or payable? Yes." Or, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the

city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? No."

§ 7. Should the majority of the ballots cast at such election upon said proposition have written or printed upon, or partly written or partly printed thereon, the words, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of the city of Lincoln upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes;" then the foregoing proposition may be considered as adopted, and the Mayor and Council of the city shall have power to issue such bonds and levy such tax at the time and for the purposes and upon the conditions specified in this ordinance.

§ 8. There shall be three judges and two clerks appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks for city officers. The returns of said election shall be made to the Mayor and City Council of said city, who shall canvass the vote and declare the result thereof at the first regular or special meeting after such election, or as soon thereafter as practicable.

§ 9. The proposition herein submitted for the issuance of such bonds, and levying the tax herein provided, shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 10. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continue open till 7 o'clock in the afternoon of the same day.

§ 11. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed May 26, 1886. Approved May 26, 1886.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city, as expressed at a special election called by an ordinance approved May 26, 1886.

1527. WHEREAS, At a special election held in the city of Lincoln on the 26th day of June, 1886, to vote upon a proposition submitted by an ordinance, entitled, An ordinance calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding eighty thousand dollars (\$80,000) for the purpose of constructing and maintaining the trunk and main lines of a system of sewerage for the city of Lincoln, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable, approved May 26, 1886, was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all votes cast at said election; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of \$1,000 each to the amount of \$80,000, payable to bearer 20 years after date, and redeemable at the pleasure of said city at any time after five years from their date. Said bonds to be dated on the day of their delivery, and to draw interest from date at five per cent per annum, payable semi-annually at the fiscal agency of the state of Nebraska, in the city of New York.

§ 2. The said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and the attached coupons shall be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed July 12, 1886. Approved July 14, 1886.

AN ORDINANCE calling for a special election in the city of Lincoln to enable the legal voters of said city to vote upon a proposition to issue bonds of said city to the amount of \$20,000, for the purpose of constructing extensions to the system of sanitary sewers of said city.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1528. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on Monday, the 19th day of August, 1889, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, to-wit:

Shall the Mayor and Council of the city of Lincoln, Nebraska, have power to borrow money and pledge the property of said city upon its negotiable bonds to an amount not exceeding twenty thousand dollars, (\$20,000,) for the purpose of paying the cost of constructing extensions to the system of sanitary sewers of said city, and to levy a tax upon the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.

§ 2. Said bonds shall be known as sewer bonds, second series, and shall draw interest at the rate of 5 per cent per annum, and shall be drawn payable to bearer 20 years after date, and shall be payable at the option of the city at any time after ten years from their date. Interest shall be payable semi-annually at the fiscal agency of the city of Lincoln in the city of New York, said interest to be evidenced by coupons thereto attached.

§ 3. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit:

First ward, at engine house No. 1.

Second ward, at Ensign's barn.

Third ward, at Byer's shop.

Fourth ward, at Rawlins's barn.

Fifth ward, at Stutheit's.

Sixth ward, at Crystal Steam Laundry.

The ballots voted at such election shall have written or printed thereon, or partly written or printed thereon, the words:

"Bonds and tax for constructing extensions to the system of sanitary sewers in the city of Lincoln; yes;" or,

"Bonds and tax for constructing extensions to the system of sanitary sewers in the city of Lincoln; no."

Should a majority of the votes cast at such election upon said

proposition have written or printed thereon, or partly written or printed thereon, the words, "Bonds and tax for constructing extensions to the system of sanitary sewers in the city of Lincoln; yes;" then the foregoing proposition shall be deemed adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy a tax at the times, for the purposes, and upon the conditions, specified in this proposition.

§ 4. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of elections for city officers, and shall receive for their services the sum of \$2.00 per day each. The returns of said election shall be made to the Mayor and Council, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or as soon thereafter as is practicable.

§ 5. The proposition for the issuance of such bonds and levying the taxes as hereinbefore provided, shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 6. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continued open until 7 o'clock in the afternoon of the same day.

§ 7. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved July 16, 1889.

ARTICLE V.

Water Bonds.

AN ORDINANCE calling a special election in the city of Lincoln for the purpose of enabling the legal voters of said city to vote upon a proposition to issue the bonds of said city for the purpose of digging wells, cisterns, aqueducts, and reservoirs for water, for a system of water-works and water supply, and to purchase or condemn the necessary land therefor, to the amount of ten thousand dollars.

Be it ordained by the Mayor and Council of the City of Lincoln :

1530. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster, State of Nebraska, on the 27th day of December, A. D. 1881, at the places hereinafter specified in each ward of the city, to vote upon the following proposition, that is to say : Shall the city of Lincoln, in the county of Lancaster, state of Nebraska, issue bonds to the amount of ten thousand dollars, with interest coupons thereto

attached, payable to the bearer twenty years from date, and redeemable at the pleasure of said city at any time after five years from their date, and drawing interest at the rate of six per cent per annum, payable annually, from the day of their delivery, said bonds to be dated on the day of their delivery, interest and principal to be payable at the office of the Treasurer of the city of Lincoln, for the erection and construction of public wells, cisterns, aqueducts, and reservoirs, for water to supply said city with water, for a system of water-works and water supply, together with the necessary fixtures for such wells, cisterns, aqueducts, or reservoirs, and purchase or condemn the necessary land therefor; and shall the City Council of said city levy a tax on the taxable property of said city, in addition to all other taxes, sufficient to pay the interest on said bonds as the same becomes due and payable.

§ 2. As soon as practicable after the issue of said bonds is authorized, the Mayor and Council shall from time to time offer for sale said bonds or such portion thereof as to them may seem proper, by giving such reasonable notice thereof as to them may seem for the best interests of the city, and sell the same for cash to the highest bidder therefor, or apply the same in the payment of such work, said Mayor and Council reserving the right to reject any and all bids. Said bonds shall in no case be sold for less than par value, nor shall a greater number or amount of said bonds be issued or disposed of than shall be necessary for the completion of said wells, cisterns, aqueducts, or reservoirs for water, the necessary fixtures thereto, and the necessary land therefor.

§ 3. The proceeds of the sale of said bonds, immediately on the receipt thereof, shall be paid to the Treasurer of said city of Lincoln, and by him placed to the credit of the "water fund." Said bonds shall be denominated water bonds, and the money obtained therefor shall be used for the purpose hereinbefore specified, and the necessary expenses connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by said City Council, to sign and attest said bonds and affix thereto the seal of said city.

§ 5. The places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit: In the First ward at the scale house; in the Second ward at the engine house; in the Third ward at Hoagland

Bros.' lumber office. The ballots voted at such election shall have written or printed thereon, or partly written and partly printed thereon, the words: "Bonds and tax for public wells for water-works and water supply; yes;" or, "Bonds and tax for public wells for water-works and water supply; no."

§ 6. Should a majority or more of the ballots cast at such election upon said proposition have written or printed, or partly written and printed thereon, the words, "Bonds and tax for public wells for water-works and water supply; yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy such tax at the time, for the purpose, and upon the conditions specified in this proposition: *Provided*, No more shall be issued or disposed of than may be necessary to complete the work hereinbefore specified, and the necessary expenses connected therewith.

§ 7. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of election for city officers, and the returns of said election shall be made by the judges and clerks thereof to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or as soon thereafter as practicable.

§ 8. The proposition for the issuance of such bonds and the levying of the tax as hereinbefore contained, shall be published for at least four weeks in the *Lincoln Globe*, a newspaper published in said city and of general circulation therein.

§ 9. The polls of said election shall be opened at nine o'clock in the forenoon and continued open until seven o'clock in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed November 21, 1881. Approved November 22, 1881.
Published November 26, 1881.

AN ORDINANCE calling for a special election in the city of Lincoln, to enable the legal voters of said city to vote upon a proposition to issue the bonds of said city for the purpose of deepening the public well in the city park, so as to obtain a water flow of 50,000 gallons per hour, to provide a water supply for a system of water-works for said city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1531. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster, and state of Nebraska, on the 5th day of October A. D. 1883, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln issue its bonds to the amount of \$10,000, with interest coupons thereto attached, payable to bearer twenty years after date, and redeemable at the pleasure of the said city at any time after five years from their date, and drawing interest at the rate of six per cent per annum from the day of their delivery, payable annually; said bonds to be dated on the day of their delivery, and the interest and principal to be payable at the office of the Treasurer of the city of Lincoln, for the purpose of deepening the public well in the city park of said city of Lincoln, so as to obtain a water flow of 50,000 gallons of water per hour, to provide a water supply for a system of water-works for said city of Lincoln; and shall the City Council of said city levy a tax on the taxable property of said city, in addition to all other taxes, sufficient to pay the interest on said bonds as the same shall become due and payable: *Provided, however,* That said bonds shall not be issued until said public well, so to be deepened, shall produce a water flow of not less than 50,000 gallons of water per hour under a test of seventy-two consecutive hours.

§ 2. That before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor by such reasonable notice in some newspaper as to them may seem for the best interests of the city, and sell the same for cash to the highest bidder therefor, reserving the right to reject any and all bids. In no case shall said bonds be sold below par value, nor shall a greater number or amount of said bonds be issued or sold than may be necessary to complete the extension of said public well so as to secure a water flow of 50,000 gallons per hour.

§ 3. That the proceeds of the sale of said bonds shall immediately, on the sale thereof, be paid to the Treasurer of said city of Lincoln, and shall by him be placed to the credit of the "water

fund." Said bonds shall be denominated "water bonds, second series," and the money obtained therefor shall be used for the purpose hereinbefore specified and the necessary expenses connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest said bonds and affix thereto the seal of the city.

§ 5. That the places where the vote upon the foregoing proposition shall be had and taken in the city of Lincoln, shall be as follows, to-wit:

In the First ward, at city scales office.

In the Second ward, at engine house.

In the Third ward, at Byer's carpenter shop.

In the Fourth ward, at Howard's carpenter shop.

The ballots voted at such election shall have written or printed thereon, or partly written or printed thereon, the words: "Bonds and tax for deepening the public well so as to produce a water flow of 50,000 gallons per hour for water-works; yes;" or, "Bonds and tax for deepening the public well so as to produce a water flow of 50,000 gallons per hour for water-works; no."

§ 6. Should a majority of the ballots cast at such election, upon said proposition, have written or printed thereon, or partly written and printed thereon, the words: "Bonds and tax for deepening the pulic well so as to produce a water flow of 50,000 gallons per hour for water-works; yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and issue such tax at the times, for the purposes, and upon the conditions, specified in this proposition: *Providing*, That no more may be issued or sold than may be necessary to complete the works hereinbefore specified and the necessary expenses connected therewith.

§ 7. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of elections for city officers, and the returns of said election shall be made to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or as soon thereafter as is practicable.

§ 8. The proposition for the issuance of such bonds and levying the tax as hereinbefore provided, shall be published for at

least four weeks in a newspaper published and of general circulation in said city.

§ 9. The polls at the election hereby called shall be opened at nine o'clock in the forenoon and continued open until seven o'clock in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved September 4, 1883. Published September 5, 1883.

AN ORDINANCE to authorize the issue, execution, and delivery of \$10,000 water bonds, second series, of the city of Lincoln, in accordance with the expressed will of the legal voters of said city at a special election held on the 5th day of October, 1883.

1532. WHEREAS, At a special election duly called and held in the city of Lincoln, on the 5th day of October, 1883, to enable the legal voters of said city to vote upon the proposition submitted by an ordinance approved September 4, 1883, to issue ten thousand dollars water bonds, second series, of said city, to deepen the public well on the city park, so as to provide a water flow of 50,000 gallons per hour to provide a water supply for a system of water-works; and

WHEREAS, It was ascertained by a canvass of the votes cast at said election that the proposition submitted had been carried by the requisite majority of all the votes cast at said election; and

WHEREAS, The public well on the city park of the said city of Lincoln has been deepened so as to produce a water flow of more than 50,000 gallons of water per hour; and

WHEREAS, All the conditions precedent to the issue of said bonds, both of law and of fact, contained in the proposition submitted to the legal voters of said city, have been fully complied with; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

§ 1.—DENOMINATION—That the coupon bonds of said city of Lincoln to the amount of \$10,000 are hereby authorized to be issued in denomination of \$500 each, payable to bearer twenty years after date, but redeemable at the pleasure of said city at any time after five years. Said bonds shall be known as "water bonds, second series," and shall bear interest at six per cent, payable annually, which interest shall be evidenced by coupons to said bonds attached. The principal and interest of said bonds

shall be payable at the office of the Treasurer of said city of Lincoln.

§ 2.—ISSUE AUTHORIZED—The Mayor and City Clerk of the city of Lincoln are hereby expressly authorized to sign said bonds in their official capacity, and to affix thereto the seal of the said city of Lincoln, and the Mayor is hereby authorized to deliver said bonds to the person or persons to whom the sale of said bonds may be awarded by the Mayor and Council of said city, on payment into the office of the City Treasury the purchase price of said bonds: *Provided*, Said bonds shall not be signed until the sale thereof has been awarded, and shall bear the date of the day of their execution.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed May 20, 1884. Approved May 21, 1884.

AN ORDINANCE calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds, to an amount not exceeding \$90,000, for the purpose of constructing, maintaining, and operating a system of water-works for the said city of Lincoln, and to levy a tax on the taxable property of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same becomes due and payable.

Be it ordained by the Mayor and Council of the City of Lincoln:

1533. § 1. A special election is hereby called, to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 11th day of June, A. D. 1884, at the places hereinafter specified in the several wards of said city, for the purpose of enabling the voters of said city to vote upon the following proposition, that is to say:

“Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln, upon its negotiable bonds, to an amount not exceeding ninety thousand dollars, for the purpose of constructing, maintaining, and operating a system of water-works for the city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.”

§ 2. The bonds proposed by the proposition contained in section one hereof shall draw interest at the rate of six per cent per annum from the date of their delivery, payable annually, said

interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer, twenty years after date, but redeemable at the pleasure of said city at any time after five years from their date, and shall bear date of the day of their delivery, and the interest and principal of said bonds shall be payable at the office of the Treasurer of said city of Lincoln.

§ 3. Before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor, by giving four weeks' notice thereof in such newspaper as may to them seem for the best interests of said city. Said notice shall reserve to the Mayor and Council of said city the right to reject any and all bids that shall be received therefor. The bonds shall be sold for cash to the highest responsible bidder therefor, and in no case shall said bonds be sold below par value nor shall a greater number or amount of said bonds be negotiated or sold than shall be necessary to construct, maintain, and operate, said system of water-works, according to the plans and specifications prepared for said system of water-works, and now on file in the office of the City Clerk of said city.

§ 4. That the proceeds of the sale of said bonds shall be paid to the Treasurer of said city of Lincoln immediately on the sale thereof, and shall be by said Treasurer placed to the credit of the "water fund." Said bonds shall be denominated "water bonds, third series." The money obtained therefor shall be used for the purpose hereinbefore specified, and the necessary expenses connected therewith, and for no other purpose.

§ 5. It shall be the duty of the Mayor and Clerk of said city, when so instructed by an ordinance duly passed by the Mayor and Council of said city of Lincoln, to sign and attest said bonds and affix thereto the seal of said city.

§ 6. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit: In the First ward, at the city scales office; in the Second ward, at the engine house; in the Third ward, at Byer's carpenter shop; in the Fourth ward, at Howard's carpenter shop. The ballots voted at such election shall have written or printed thereon, or partly written and partly printed thereon, the words, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding ninety thousand dollars, for the purpose of constructing, maintaining, and operating a sys-

tem of water-works for the city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes." Or, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding ninety thousand dollars, for the purpose of constructing, maintaining, and operating a system of water-works for the city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? No."

§ 7. Should a majority of the ballots cast at such election upon said proposition have written or printed thereon, or partly written and partly printed thereon, the words, "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska have power to borrow money and pledge the property of said city of Lincoln upon its negotiable bonds to an amount not exceeding ninety thousand dollars, for the purpose of constructing, maintaining, and operating a system of water-works for the city of Lincoln, and to levy a tax on the taxable property of said city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable? Yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall have power to issue such bonds and levy such tax at the time for the purpose, and upon the conditions, specified in this ordinance.

§ 8. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of election for city officers.

The returns of said election shall be made to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular or special meeting after such election, or as soon thereafter as practicable.

§ 9. The propositions herein submitted for the issuance of such bonds and levying the tax herein provided, shall be published for at least four weeks in a newspaper published and of general circulation in said city.

§ 10. The polls at the election hereby called shall be opened

at nine o'clock in the forenoon and continued open until seven o'clock in the afternoon of the same day.

§ 11. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved June 11, 1884.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instruction of the legal voters of said city as expressed at a special election called by an ordinance approved June 11, 1884.

1534. WHEREAS, At a special election held in the city of Lincoln on the 11th day of July, 1884, to vote upon a proposition submitted by an ordinance entitled, "An ordinance calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding \$90,000, for the purpose of constructing, maintaining, and operating, a system of water-works for the said city of Lincoln, and to levy a tax on the taxable property of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same becomes due and payable," approved June 11, 1884, and published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all votes cast at said election; therefore,

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denomination of five hundred dollars each to the amount of ninety thousand dollars, payable to bearer twenty years after date, and redeemable at the pleasure of the city at any time after five years. Said bonds shall bear interest at the rate of 6 per cent, payable annually, which interest shall be computed and evidenced by coupons to said bonds attached, each coupon calling for the amount of interest on said bonds for one year. One of said coupons shall be made payable each year during the time to run of said bonds. The principal and interest of said bond shall be payable at the office of the City Treasurer of said city of Lincoln.

§ 2. The said bonds and the attached coupons shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln.

§ 3. This ordinance shall take effect and be in force from and after passage, approval, and publication according to law.

Passed September 1, 1884. Approved September 8, 1884.

AN ORDINANCE calling for a special election in the city of Lincoln to enable the legal voters of said city to vote upon a proposition to issue bonds of said city to the amount of \$10,000, for the purpose of constructing extensions to the water-works in said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1535. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 31st day of May, A. D. 1887, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln issue its bonds to the amount of \$10,000, with interest coupons thereto attached, payable to bearer twenty years after date, and drawing interest at the rate of 5 per cent per annum from the date of their delivery, payable annually, said bonds to be dated on the day of their delivery, and the interest and principal to be payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions to the water-works of said city, and shall the City Council of said city levy a tax on the taxable property of said city, in addition to all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.

§ 2. That before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor by such reasonable notice in some newspaper as to them may seem for the best interests of said city, and sell the same for cash to the highest bidder therefor, reserving the right to reject any and all bids. In no case shall said bonds be sold below par value.

§ 3. That the proceeds of the sale of said bonds shall immediately, on the sale thereof, be paid to the Treasurer of said city of Lincoln, and shall by him be placed to the credit of the "water fund." Said bonds shall be denominated "water bonds, fourth series," and the money obtained therefor shall be used for the purpose hereinbefore specified and the necessary expense connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest said bonds and affix thereto the seal of the city.

§ 5. That the places where the vote on the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit:

In the First ward, at city tool house.

In the Second ward, at the engine house No. 1.

In the Third ward, at Green's lumber office.

In the Fourth ward, at Howard's carpenter shop.

In the Fifth ward, at Giessler's store.

In the Sixth ward, at Crystal Steam Laundry.

The ballots voted at such election shall have written or printed thereon, or partly written or printed thereon, the words:

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; yes;" or,

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; no."

§ 6. Should a majority of the ballots cast at such election upon said proposition have written or printed thereon, or partly written or printed thereon, the words, "Bonds and tax for constructing extensions to the water-works in said city; yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy such tax at the times, for the purpose, and upon the conditions, specified in this proposition.

§ 7. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of elections for city officers, and the returns of said election shall be made to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or as soon thereafter as is practicable.

§ 8. The proposition for the issuance of such bonds and levying the taxes as hereinbefore provided shall be published for at least — weeks in a newspaper published and of general circulation in said city.

§ 9. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continue open until 7 o'clock in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law.

Approved April 29, 1887.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instructions of the legal voters of said city as expressed at a special election called by an ordinance approved April 29, 1887.

1536. WHEREAS, At a special election held in the city of Lincoln on the 31st day of May, 1887, to vote upon a proposition submitted by an ordinance calling a special election in the city of Lincoln, Lancaster county, Neb., to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding ten thousand dollars, to be used for the purpose of constructing extensions to the water-works of said city, and to levy a tax on the taxable property of the city of Lincoln in addition to all other taxes sufficient to pay the interest on said bonds as the same become due and payable, approved April 29, 1887, and was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all the votes cast at said election; therefore

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of \$1,000 each to the amount of \$10,000, payable to bearer twenty years after date, said bonds to be dated on the day of their delivery, and to draw interest from date at 5 per cent per annum, payable annually at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. Said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed June 20, 1887. Approved June 25, 1887.

AN ORDINANCE calling for a special election in the city of Lincoln to enable the legal voters of said city to vote upon a proposition to issue bonds of said city to the amount of ten thousand dollars, for the purpose of constructing extensions to the water-works of said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1537. WHEREAS, At an election held in said city on May 31, 1887, the city was authorized to issue bonds in the amount of \$10,000 for the purpose of constructing extensions to the water-works of said city; but at said election no authority was given said city to redeem said bonds at the option of said city at any time after five years from their date as required by law:

§ 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster, and state of Nebraska, on the 1st day of October, A. D. 1887, at the places hereinafter specified in each ward of said city for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln issue its bonds to the amount of \$10,000, with interest coupons thereto attached, payable to bearer twenty years after date and redeemable at the option of the city at any time after five years from their date, and drawing interest at the rate of five per cent per annum from the date of their delivery, payable semi-annually, said bonds to be dated on the day of their delivery, and the interest and principal to be payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions to the water-works of said city; and shall the City Council of said city levy a tax on the taxable property of said city, in addition to all all other taxes, sufficient to pay the interest on said bonds as the same may become due and payable.

§ 2. That before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor by such reasonable notice in some newspaper as to them may seem for the best interests of said city, and sell the same for cash to the highest bidder therefor, reserving the right to reject any and all bids. In no case shall said bonds be sold below par value.

§ 3. That the proceeds of the sale of said bonds shall immediately, on the sale thereof, be paid to the Treasurer of said city of Lincoln, and shall by him be placed to the credit of the "water fund." Said bonds shall be denominated "water bonds, fourth series," and the money obtained therefor shall be used for the purpose hereinbefore specified and the necessary expense connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest said bonds and affix thereto the seal of the city.

§ 5. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit:

In the First ward, at the city tool house.

In the Second ward, at engine house No. 1.

In the Third ward, at Green's lumber office.

In the Fourth ward, at Howard's carpenter shop.

In the Fifth ward, at Geissler's store.

In the Sixth ward, at Crystal Steam Laundry.

The ballots voted at such election shall have written or printed thereon, or partly written or printed thereon, the words:

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; yes;" or

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; no."

§ 6. Should a majority of the ballots cast at said election upon said proposition have written or printed thereon, or partly written and printed thereon, the words: "Bonds and tax for constructing extensions to the water-works in said city; yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy such tax at the times and for the purposes and upon the conditions specified in this proposition.

§ 7. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of elections for city officers, and the returns of said election shall be made to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or so soon thereafter as practicable.

§ 8. The proposition for the issuance of such bonds and levying the taxes hereinbefore provided shall be published for four consecutive times in a weekly newspaper of general circulation in said city.

§ 9. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continued open until 7 o'clock in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.
Approved September 6, 1887.

AN ORDINANCE to authorize the city of Lincoln to issue its bonds in pursuance of the instructions of the legal voters of said city as expressed at a special election called by an ordinance approved September 6, 1887.

1538. WHEREAS, At a special election held in the city of Lincoln on the first day of October, 1887, to vote upon a proposition submitted by an ordinance calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding ten thousand dollars, to be used for the purpose of constructing extensions to the water-works of said city, and to levy a tax on the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest on said bonds as the same become due and payable, approved September 6, 1887, and was published as required by law; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a two-thirds majority of all the votes cast at said election; therefore

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln be and hereby is authorized to issue its coupon bonds in denominations of \$1,000 each to the amount of \$10,000, payable to bearer twenty years after date, said bonds to be dated on the day of their delivery, and redeemable at the option of the city at any time after five years from their date, and to draw interest at the rate of five per cent per annum from the date of their delivery, payable semi-annually, and principal and interest payable at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. Said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of the said city of Lincoln, and said coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved October 7, 1887.

AN ORDINANCE calling for a special election in the city of Lincoln to enable the legal voters of said city to vote upon a proposition to issue bonds of said city to the amount of ten thousand dollars, for the purpose of constructing extensions to the water-works of said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1539. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 3d day of April, A. D. 1888, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln issue its bonds to the amount of \$10,000, with interest coupons thereto attached, payable to bearer twenty years after date, and redeemable at the option of the city at any time after five years from their date, and drawing interest at the rate of five per cent per annum from the date of their delivery, payable semi-annually, said bonds to be dated on the day of their delivery, and the interest and principal to be payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions to the water-works of said city; and shall the City Council of said city levy a tax on the taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable.

§ 2. That before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor by such reasonable notice in some newspaper as to them may seem for the best interests of said city, and sell the same for cash to the highest bidder therefor, reserving the right to reject any and all bids. In no case shall said bonds be sold below par value.

§ 3. That the proceeds of the sale of said bonds shall immediately, on the sale thereof, be paid to the Treasurer of said city of Lincoln, and by him shall be placed to the credit of the "water fund." Said bonds shall be denominated "water bonds, fifth series," and the money obtained therefor shall be used for the purpose hereinbefore specified and the necessary expense connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest said bonds and affix thereto the seal of the city.

§ 5. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit:

In the First ward, at the engine house No. 2.

In the Second ward, at the engine house No. 1.

In the Third ward, at Green's lumber office.

In the Fourth ward, at Howard's carpenter shop.

In the Fifth ward, at Geissler's store.

In the Sixth ward, at Crystal Steam Laundry.

The ballots voted at such election shall have written or printed thereon, or partly written or printed thereon, the words:

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; yes;" or

"Bonds and tax for constructing extensions to the water-works in the city of Lincoln; no."

§ 6. Should a majority of the ballots cast at such election upon said proposition have written or printed thereon, or partly written or printed thereon, the words: "Bonds and tax for constructing extensions to the water-works in said city; yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy such tax at the times and for the purposes and upon the conditions specified in this proposition.

§ 7. There shall be three judges and two clerks of election appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of elections for city officers; and the returns of said election shall be made to the Mayor and Council of said city, who shall canvass the votes and declare the result thereof at the first regular meeting after such election, or as soon thereafter as practicable.

§ 8. The proposition for the issuance of such bonds and levying the taxes hereinbefore provided, shall be published for four consecutive times in a weekly newspaper of general circulation in said city.

§ 9. The polls at the election hereby called shall be opened at 9 o'clock in the forenoon and continue open until 7 o'clock in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved February 21, 1888.

AN ORDINANCE to authorize the city of Lincoln to issue its water bonds, fifth series, to the amount of \$10,000, pursuant to the instruction of the legal voters of said city as expressed at a special election called by an ordinance approved February 21, 1888

1540. WHEREAS, At a special election held in the city of Lincoln on the 3d day of April, 1888, to vote upon a proposition submitted by an ordinance calling a special election in the city of Lincoln, in the county of Lancaster, and state of Nebraska, for the purpose of enabling the legal voters of said city to vote upon a proposition empowering the Mayor and Council of said city to borrow money, and pledge the property and credit of said city, upon its negotiable bonds, to an amount not exceeding ten thousand dollars, to be used for the purpose of constructing extensions to the water-works of said city, and to levy a tax upon the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by the requisite majority of all votes cast at said election; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln is hereby authorized to issue its coupon bonds in denomination of \$1,000 each to the amount of \$10,000, payable to bearer twenty years after date, and redeemable at the option of said city at any time after five years from their date; said bonds to be dated July 1, 1888, and to draw interest at the rate of five per cent per annum, payable semi-annually at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. Said bonds shall be signed by the Mayor, and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved June 4, 1888.

AN ORDINANCE calling for a special election in the city of Lincoln, Lancaster county, Neb., to enable the legal voters of said city to vote upon the proposition to issue bonds of said city to the amount of \$47,000, for the purpose of construction of extensions to the established water-works of said city, to prescribe the form of ballot at said special election, the places and time of voting, and to authorize the said council to levy a special tax, in addition to all other taxes, for the payment of said bonds and interest when the same become due.

1542. WHEREAS, It has become necessary to make extensions and additions to the system of water-works in the city of Lincoln, Lancaster county, in the state of Nebraska, in making extensions thereof in the following particulars, to-wit:

Standpipe, 25x100, with foundation	\$11,500 00
12-inch pipe on Ninth, from South to F.....	7,750 00
12-inch pipe east on South street, from 10th to 23d..	8,817 35
6-inch pipe east on Washington from 16th to 17th..	400 00
6-inch pipe east on A from 11th to 15th.....	1,429 00
6-inch pipe east on Washington from 20th to 23d, and on 22d, Washington to D, and west on D to 20.h	2,578 00
6-inch pipe on N street, 30th to 32d.....	582 25
Laying pipe on hand, U street, 11th to 14th, U to W and 12th, U to X.....	385 00
6-inch pipe on S, T, U, and Vine, 19th to 22d, and on 19th, S to T, and 19th, U to V.....	3,290 00
6-inch pipe on M street, 24th to 25th, and on 25th from M to N.....	560 00
T street, 27th to 32d, and 32d street, S to T, 6-inch pipe.....	1,680 00
20th street south to Prospect, 6-inch pipe.....	700 00
19th street, C to D, 6-inch pipe.....	302 70
6-inch pipe on F from 1st to 6th, on 1st from M to F, and on M from 1st to 2d.....	3,500 00
6-inch pipe on Q street from 19th to 27th.....	2,420 00
6-inch pipe on 11th street from U to W, and on W from 9th to 11th.....	1,080 00

According to the estimate cost as made and prepared by the City Engineer of said city;

WHEREAS, It further appears that there are no funds in the city treasury to pay for any of said extensions or improvements, which are now necessary and needed; and

WHEREAS, Said improvements as herein specified have been ordered done by the council of said city, and have been spread

upon its records: Now, therefore, and in order and for the purpose of raising the money to make the aforesaid improvements,
Be it ordained by the Mayor and Council of the City of Lincoln, Neb.:

§ 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 12th day of August, 1892, at the place hereinafter specified in each election precinct in said city, for the purpose of enabling the legal voters of said city to vote upon the following propositions, to-wit:

“Shall the city of Lincoln issue its bonds to the amount of \$47,000, with interest coupons thereto attached, payable to bearer twenty years after date thereof, and redeemable at the option of the city at any time after ten years from their date, and draw interest at the rate of 5 per cent per annum from their date, payable semi-annually, said bonds to be dated October 1, 1892, and the interest and the principal to be payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions of the water-works of said city, and shall the City Council of said city levy a tax on all taxable property of said city sufficient to pay the interest and principal upon said bonds as the same may become due and payable?”

§ 2. That before negotiating the sale of said bonds, the Mayor and Council shall invite bids therefor, by reasonable notice in some newspaper as to them may seem for the best interest of said city, and sell the same for cash to the highest bidder therefor, reserving the right to reject any and all bids. In no case shall said bonds be sold below par value.

§ 3. That the proceeds of the sale of said bonds shall immediately, on the sale thereof, be paid to the Treasurer of the city of Lincoln, and by him shall be placed to the credit of the “water fund.” Said bonds shall be denominated “Water bonds, sixth series,” and the money obtained therefrom shall be used for the purpose hereinbefore specified and the necessary expenses connected therewith, and for no other purpose.

§ 4. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest such bonds and affix thereto the seal of the city.

§ 5. That the places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln, shall be as follows, to-wit:

IN THE FIRST WARD.

Precinct 1 or A—City building.

Precinct 2 or B—1024 T street.

Precinct 3 or C—828 W street.

IN THE SECOND WARD.

Precinct 1 or A—Bohanan block.

Precinct 2 or B—Court house.

Precinct 3 or C—Holmes building, Eleventh street, between H and G.

IN THE THIRD WARD.

Precinct 1 or A—Applegate block.

Precinct 2 or B—Gaddis' shop, corner Thirteenth and R streets.

Precinct 3 or C—1620 O street.

Precinct 4 or D—2220 O street.

Precinct 5 or E—Cox building, north side U street, between Thirteenth and Fourteenth streets.

IN THE FOURTH WARD.

Precinct 1 or A—130 South Twelfth street.

Precinct 2 or B—308 South Eleventh street.

Precinct 3 or C—Grocery store, Thirteenth and K streets.

Precinct 4 or D—Heater & Kinnis, between Twentieth and Twenty-first, O street.

Precinct 5 or E—Grocery store, Twentieth and J streets.

IN THE FIFTH WARD.

Precinct 1 or A—F street engine house.

Precinct 2 or B—J. R. Bing's shop.

Precinct 3 or C—South street car barn.

Precinct 4 or D—Rippe's store.

Precinct 5 or E—415 D street.

IN THE SIXTH WARD.

Precinct 1 or A—S. M. Melick's barn, Twenty-fourth and P streets.

Precinct 2 or B—Corner V and Twenty-seventh streets.

Precinct 3 or C—Twenty-third and Washington streets.

IN THE SEVENTH WARD.

Precinct 1 or A—Lincoln City Electric railway house.

Precinct 2 or B—869 North Twenty-seventh street.

Precinct 3 or C—Byrum's store, Twenty-seventh street.

§ 5. The ballots voted at said election shall have written or printed thereon, or partly written or printed thereon the words: "Shall the city of Lincoln, Neb., issue its bonds to the extent of forty-seven thousand dollars, with interest coupons attached thereto, payable to bearer in twenty years after date thereof, and redeemable at the option of the city at any time after ten years from their date, and draw interest at the rate of 5 per cent per annum from their date, payable semi-annually, said bonds to be dated October 1, 1892, and the interest and principal to be payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions of the water-works of said city, and shall the City Council of said city levy a tax on all taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal upon said bonds as the same may become due and payable? Yes;" or, "Shall the city of Lincoln issue its bonds to the amount of \$47,000, with interest coupons thereto attached, payable to the bearer twenty years after the date thereof, and redeemable at the option of the city at any time after ten years from their date, and drawing interest at the rate of 5 per cent per annum from their date, payable semi-annually, said bonds to be dated October 1, 1892, and the interest and principal payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions of the water-works of said city, and shall the City Council of said city levy a tax on all taxable property of said city, in addition to all other taxes, sufficient to pay the interest and principal upon said bonds as the same may become due and payable? No."

§ 6. Should the majority of said ballots cast at such election upon such proposition be in the affirmative or in favor of said proposition, then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue such bonds and levy such taxes at the time, for the purpose, and upon the conditions specified in this proposition and ordinance.

§ 7. There shall be five judges and two clerks of election appointed by the Mayor and the Council for each election precinct,

and the judges and clerks so appointed shall perform the duties at such election which shall devolve upon the judges and clerks of elections for city officers; and the returns of said election shall be given to the Mayor and Council of said city, who shall canvass the vote and declare the result thereof at the first regular meeting after such election, or so soon thereafter as practicable.

§ 8. The proposition for the issuance of such bonds and the levying the taxes herein provided shall be published for four consecutive times in a weekly newspaper of general circulation in said city.

§ 9. The polls at the election hereby called shall be opened in the forenoon at 8 o'clock and continue until 7 in the afternoon of the same day.

§ 10. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 12, 1892. Approved July 13, 1892. Published in *Journal* July 17, 1892.]

AN ORDINANCE to authorize the city of Lincoln to issue its water bonds, sixth series, to the amount of forty-seven thousand dollars, pursuant to the instruction of the legal voters of said city as expressed at a special election called by the ordinance approved July 13th, 1892.

1543. WHEREAS, At a special election held in the city of Lincoln on the 12th day of August, 1892, to vote upon a proposition submitted by an ordinance calling a special election in the city of Lincoln, county of Lancaster, state of Nebraska, for the purpose of enabling the legal voters of said city to vote upon a proposition empowering the Mayor and City Council of said city to borrow money, and pledge the property and credit of said city, upon its negotiable bonds, to the amount not exceeding forty-seven thousand dollars, for bonds for the purpose of constructing extensions of the water-works of said city, and to levy a tax upon the taxable property of said city, in addition to all other taxes, to pay the interest and principal upon said bonds as the same may become due and payable; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by a majority of all the votes cast at said election; therefore

Be it ordained by the Mayor and City Council of said City of Lincoln:

§ 1. That the city of Lincoln is hereby authorized to issue its coupon bonds in denominations of one thousand dollars each, to the amount of forty-seven thousand dollars, payable to bearer twenty years after date, and redeemable at the option of said city at any time after ten years from date, said bonds to be dated October 1st, 1892, and to draw interest at the rate of five per cent per annum from their date, payable semi-annually, said interest and principal payable at the fiscal agency of the state of Nebraska in the city of New Yoak.

§ 2. Said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city of Lincoln, and the attached coupons shall each be signed by the Mayor.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 25, 1892.]

AN ORDINANCE calling a special election in the city of Lincoln to enable the legal voters of said city to vote upon a proposition to issue the bonds of said city to the amount of twenty-six thousand six hundred dollars for the purpose of constructing extensions to the water-works of said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1544. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 6th day of November, 1894, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln issue its bonds to the amount of twenty-six thousand six hundred dollars, with interest coupons thereto attached, payable to bearer one-tenth thereof each year after ten years from their date, and redeemable at the option of the city at any time after five years from their date, and drawing interest at the rate of five per cent per annum from the date of delivery, payable annually, said bonds to be dated on the 1st day of December, 1894, and the interest and principal payable at the fiscal agency of the state of Nebraska in the city of New York, for the purpose of constructing extensions to the water-works of said city; and shall the Mayor and City Council of said city levy a tax on the taxable property of said city, in addition to all other taxes, sufficient

to pay the interest and principal of said bonds as the same may become due and payable?

§ 2. The proceeds of the sale of said bonds shall be paid to the treasurer of said city and by him shall be placed to the credit of the "water fund." Said bonds shall be denominated "Water bonds, ——— series," and the money obtained therefrom used for the purpose hereinbefore specified and the necessary expenses connected therewith, and for no other purpose.

§ 3. It shall be the duty of the Mayor and Clerk of said city, when so ordered by the Council, to sign and attest said bonds and affix thereto the seal of said city.

§ 4. The extensions or additions to said water-works have been determined by the Mayor and Council and the same spread upon the record thereof as follows, to-wit:

Estimate of Proposed Extensions of the Water Mains in Accordance with Plans filed Herewith.

LOCATION.	LENGTH— FEET.	SIZE— INCH.	COST.
On F Street, 5th St. to 6th St.....	600	6	\$450 00
On H Street, 8th St. to 5th St.....	1220	6	915 00
On 5th Street, H St. to J St.....	400	4	240 00
On A Street, 17th St. to 19th St.....	800	6	600 00
On B Street, 18th St. to 19th St.....	400	6	300 00
On B Street, 13th St. to 9th St.....	1620	6	1215 00
On Washington Street, 10th St. to 16th St.....	2440	4	1464 00
On Poplar Street, 14th St. to 16th St..	850	6	637 50
On 14th Street, Poplar St. to Stillwater Ave	2300	6	1725 00
On Rose Street, 9th St. to 16th St.....	2840	6	2130 00
On 16th Street, Maple to Sycamore St.	400	4	240 00
On 22d Street, South St. to Euclid Ave.	1020	6	765 00
On 19th Street, A St. to B St.....	400	4	240 00
On Washington Street, 23d St. to 25th St.....	800	6	600 00
On 25th Street, Washington St. to Garfield St.....	500	6	375 00
On Garfield Street, 25th St. to 27th St.	800	6	600 00
On 27th Street, J St. to Beta St	1540	6	1155 00
On Beta Street, 27th St. to 28th St.....	600	6	450 00
On 24th Street, M St. to L St.....	500	4	300 00

LOCATION.	LENGTH— FEET.	SIZE— INCH.	COST.
On O Street, 30th St. to 32d St.....	800	6	\$600 00
On 32d Street, O St. to R St.....	1200	6	900 00
On 30th Street, M St. to N St.....	400	4	240 00
On R Street, 27th St. to 29th St.....	800	6	600 00
On 22d Street, Vine St. to Holdrege St.....	2640	6	1980 00
On Y Street, 27th St. to 29th St.....	800	6	600 00
On 29th Street, Y St. to Potter St....	1960	6	1470 00
On Potter Street, 29th St. to 30th St...	400	6	300 00
On 30th Street, Potter St. to Oak St...	1920	6	1440 00
On 14th Street, Court St. to Emerson,	1800	6	1368 50
On Emerson Street, 14th St. to 12th...	800	6	600 00
On 12th Street, Emerson St. to Butler St.....	2000	6	1500 00
On 18th Street, G St. to J. St.....	800	6	600 00
Total.....			\$26,600 00

§ 5. The judges and clerks of the election herein called shall be the judges and clerks of the general election held on the same day, and the places for voting hereon shall be the same as for said general election. The rules and regulations of said general election shall govern as to this election so far as the same are applicable.

§ 6. The ballots cast at such election shall have written or printed thereon, or partly written or printed thereon, the words "Bonds and tax for constructing extensions to the water-works of the city of Lincoln; yes;" or, "Bonds and tax for constructing extensions to the water-works to the city of Lincoln; no."

§ 7. Shall the majority of the ballots cast at said election upon the above proposition be in favor thereof, then the Mayor and Council shall be authorized to issue and sell the bonds hereinbefore described, and to use the money for the purpose designated in this ordinance.

§ 8. The proposition herein submitted for the issuance of such bonds and levying said tax shall be published for four weeks in *The Call*, a newspaper, and of general circulation in said city.

§ 9. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 1, 1894. Approved October 3, 1894. Published in *Call* October 6, 1894.]

AN ORDINANCE to authorize the city of Lincoln to issue its water bonds, — series, to the amount of twenty-six thousand six hundred dollars, pursuant to the instructions of the legal voters of said city as expressed at an election called to be held on the 6th day of November, 1894.

1545. WHEREAS, At an election held in the city of Lincoln on the 6th day of November, 1894, to vote upon the proposition submitted by an ordinance calling a special election in the city of Lincoln in the county of Lancaster and state of Nebraska, for the purpose of enabling the legal voters of said city to vote upon a proposition authorizing the Mayor and Council of said city to borrow money and pledge the property and credit of said city upon its negotiable bonds to an amount not exceeding twenty-six thousand six hundred (\$26,600) dollars, to be used for the purpose of constructing extensions to the water-works of said city, and to levy a tax upon the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by the requisite majority; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln is hereby authorized to issue its coupon bonds in such denominations as the Mayor and City Council may determine, to the amount of twenty six thousand six hundred (\$26,600) dollars, payment to bearer one-tenth thereof each year after ten years from the date thereof, and redeemable at the option of said city at any time after five years from their date; said bonds to be dated January 1, 1895, and to draw interest at the rate of five per cent per annum, payable annually at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. Said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed December 31, 1894. Approved January 4, 1895. Published in *News* January 4, 1895.]

AN ORDINANCE to authorize the city of Lincoln to issue its water bonds, seventh series, to the amount of twenty-six thousand six hundred dollars, pursuant to the instructions of the legal voters of said city as expressed at an election called to be held on the 6th day of November, 1894.

1546. WHEREAS, At an election held in the city of Lincoln on the 6th day of November, 1894, to vote upon the proposition submitted by an ordinance calling a special election in the city of Lincoln, in the county of Lancaster and state of Nebraska, for the purpose of authorizing the Mayor and City Council of the said city to borrow money, and pledge the property and credit of said city, upon its negotiable bonds, to an amount not exceeding twenty-six thousand six hundred dollars, to be used for the purpose of constructing extensions to the water-works of said city, and to levy a tax upon the taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the interest and principal on said bonds as the same may become due and payable; and

WHEREAS, It has been ascertained by a canvass of the votes cast at said election that the proposition submitted by said ordinance was carried by the requisite majority; therefore

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the city of Lincoln is hereby authorized to issue its coupon bonds of such denomination as the Mayor and Council may determine, to the amount of twenty-six thousand six hundred dollars, payable to bearer one-tenth thereof each year after ten years from the date thereof, and redeemable at the option of said city at any time after five years from their date; and said bonds to be dated December 1, 1894, and to draw interest at the rate of five per cent per annum from date of delivery, payable annually at the fiscal agency of the state of Nebraska in the city of New York.

§ 2. Said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have affixed thereto the seal of said city.

§ 3. An ordinance entitled "An ordinance to authorize the city of Lincoln to issue its water bonds, seventh series, to the amount of twenty-six thousand six hundred dollars, pursuant to the instructions of the legal voters of said city as expressed at an election called to be held on the 6th day of November, 1894," approved January 4th, 1895, be and the same is hereby repealed, and this ordinance shall take effect and be in force from and after its passage and approval according to law.

[Approved January 24, 1895. Published in *News* January 25, 1895.]

ARTICLE VII.

Electric Light, Gas, and Oil Companies.

AN ORDINANCE granting to the Electric Light Company the use of the streets, alleys, and public grounds within said city.

And be it ordained by the Mayor and Council of the City of Lincoln :

1551. § 1. That the Lincoln Electric Light Company and its successors and assigns be and hereby is authorized, subject to the conditions and limitations hereinafter contained, to establish, construct, maintain, and operate, within the corporate limits of the city of Lincoln, the necessary buildings, works, machinery, and structures, for the purpose of supplying electricity for illuminating purposes, and to erect and maintain within said city and in and upon the streets, alleys, and public grounds thereof, posts, towers, poles, and other structures and appliances necessary for the support of wires used for conducting electricity for illuminating purposes, under the direction of the City Council: *Provided*, That such poles, posts, towers, and appliances, shall be so placed and erected upon said streets and alleys as not to obstruct the use thereof for the purposes of travel.

§ 2. Said company, or its successors or assigns, shall, within six months after the approval of this ordinance, commence in good faith the erection of the works necessary for furnishing electricity for illuminating purposes, and within six months thereafter be prepared to furnish electricity for illuminating purposes, unless restrained or enjoined by some proceeding in law or equity. The time said company or its successors or assigns are so enjoined shall not be taken or considered as a part of the time hereinbefore limited.

§ 3. The city of Lincoln reserves the right to amend or repeal this ordinance at any time.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed April 14, 1884. Approved April 17, 1884. Published April 28, 1884.

AN ORDINANCE granting the use of the streets, lanes, alleys, public grounds, and sidewalks, in the city of Lincoln to the Lincoln Gas Company. Approved March 12, 1872.

Be it ordained by the Mayor and Councilmen of the City of Lincoln :

1552. § 1.—LINCOLN GAS COMPANY.—That license and permission be and the same are hereby given and granted to the Lincoln Gas Company, of Lincoln, Nebraska, to erect, construct, and complete, gas works within the corporate limits of the city of Lincoln, aforesaid; and that said company is hereby authorized and permitted to use and occupy the streets, lanes, alleys, public grounds, and sidewalks, of said city, for the purpose of laying down and repairing all pipes and other fixtures for conducting gas for light in and under the streets, lanes, alleys, public grounds and sidewalks of said city, or any future addition which may be made thereto.

§ 2.—EXCLUSIVE PRIVILEGE TO.—The said Lincoln Gas Company shall have the exclusive right and privilege of furnishing illuminating gas in said city for a period of twenty-one years from the 9th day of March, 1872, and of using and occupying the streets, lanes, alleys, public grounds, and sidewalks, for the purposes specified in the first section of this ordinance.

§ 3.—DUTIES OF COMPANY.—The said Lincoln Gas Company shall manufacture and constantly supply (unavoidable delays and accidents excepted) the city and inhabitants of Lincoln, on streets where gas main-pipes are laid, with good quality of illuminating gas, at a price not to exceed five dollars per one thousand feet.

§ 4.—WHEN TO TAKE EFFECT.—This ordinance is to take effect and be in force from and after its publication according to law.

Rev. Ord. 1879, p. 48.

AN ORDINANCE authorizing the Consolidated Tank Line Company of Hamilton county, Ohio, to construct and erect brick fire-proof buildings, iron tanks, and other necessary works for storing and handling petroleum and its products, and doing a general oil business, on block numbered four (4) in Cottage Home Addition to the city of Lincoln, and for the construction of railroad tracks upon and contiguous to said block.

Be it ordained by the Mayor and Councilmen of the City of Lincoln :

1553. § 1. That the Consolidated Tank Line Company of Hamilton county, Ohio, a corporation duly organized under and

by virtue of the laws of the state of Ohio, be and the same is hereby authorized to construct, erect and maintain, fire-proof buildings, out of brick or stone, or other similar material, in conformity to the fire ordinance of the city of Lincoln, on block numbered four, (4,) in Cottage Home Addition to the city of Lincoln, for the purpose of storing and handling petroleum and its products, and doing a general oil business in said buildings and upon said block in said city.

§ 2. That for the purpose of carrying on said business, authority is hereby given for the construction of any railroad tracks that may be agreed upon between the said corporation and any railroad company, in and upon any portion of the said block, or upon any street contiguous to the said block: "*Providing, however, That said company shall pay all damages that may be sustained by property holders adjacent to such place of business or the track extending to the same, and shall in all respects hold the city of Lincoln harmless from any and all damages caused to any person, company, or corporation, by reason of the granting of the rights and franchises contained in this ordinance, and said company's use thereof.*"

§ 3. This ordinance shall be in force and take effect from and after its passage, approval, and publication according to law."

Approved June 27, 1887.

AN ORDINANCE to amend section one of an ordinance entitled "An ordinance granting the use of the streets, lanes, alleys, public grounds, and sidewalks in the city of Lincoln to the Lincoln Gas Company," approved March 12, 1872.

Be it ordained by the Mayor and Council of the City of Lincoln:

1555. § 1. That section one of an ordinance entitled "An ordinance granting the use of the streets, lanes, alleys, public grounds, and sidewalks in the city of Lincoln to the Lincoln Gas Company," approved March 12, 1872, be amended so as to read as follows:

"§ 1. That license and permission be and the same are hereby given and granted to the Lincoln Gas Company, of Lincoln, Nebraska, to erect, construct, and complete gas works within the corporate limits of the city of Lincoln aforesaid; and the said company is hereby authorized and permitted to use and occupy the streets, lanes, alleys, public grounds, and sidewalks of the said city, for the purpose of laying down and repairing all pipes and other fixtures for conducting gas for light, fuel, and heat, in

and under the streets, lanes, alleys, public grounds, and sidewalks of said city, or any future addition which may be made thereto, and to establish, construct, acquire, maintain, own, and operate within the corporate limits aforesaid of said city of Lincoln, the necessary buildings, works, machinery, appliances, and structures for the purpose of furnishing and supplying electricity for the purpose of illumination and power for moving machinery and vehicles, and erect, acquire, own, and maintain within the corporate limits aforesaid, and in and upon the streets, lanes, alleys, public grounds, and sidewalk space of said city, or any future addition which may be made thereto, wires, or other conductors of electricity, for conducting electricity for illuminating or power purposes, and to erect, acquire, own, establish, and maintain within the corporate limits aforesaid, and in and upon the streets, lanes, alleys, public grounds, and sidewalk space of said city, or any future addition thereto, posts, poles, towers, and other structures and appliances for the support of such wires or other conductors of electricity: *Provided*, That such posts, poles, towers, and other structures and appliances, including wires and conductors of electricity, shall be so erected and placed as not to obstruct the use of said streets, lanes, alleys, public grounds, and sidewalk space for the purpose of travel."

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 16, 1890. Approved June 19, 1890. Published in *News* June 19, 1890.]

ARTICLE VIII.

Miscellaneous Ordinances.

AN ORDINANCE authorizing the construction of a public well or reservoir for the purpose of supplying the city of Lincoln with water for a system of water-works, and for the purchase or condemnation of the necessary land therefor.

Be it ordained by the Mayor and Council of the City of Lincoln:

1558. § 1.—WELL, ETC., FOR WATER-WORKS.—That a public well or reservoir be constructed, either within the limits of the city of Lincoln or at a convenient place as near thereto as practicable, for the purpose of supplying the city of Lincoln and the inhabitants thereof with water for a system of water-works. Said well or reservoir shall be located at such place, be of such

size, and the curbing and covering of such material as the Mayor and Council may deem for the best interests of the city for the purposes herein specified, and the purchase or condemnation of the necessary land therefor, and the necessary right of way thereto, is hereby authorized.

§ 2.—LAND FOR, HOW OBTAINED, ETC.—When the location of the well or reservoir shall have been established, as provided in the foregoing section, and the purchase price of the necessary land and the right of way thereto cannot be agreed upon, the Mayor and Council may elect by ballot five disinterested householders as a commission to assess all damages to property and real estate to the person or persons whose property and real estate shall be taken or damaged by reason of the appropriation to the city of Lincoln of the property and real estate herein provided for. In case of death, absence, refusal, or neglect, of any of said householders to act as a commission as aforesaid, the Mayor and Council shall elect others to fill the panel as provided herein.

§ 3.—COMMISSION TO APPRAISE, ETC.—It shall be the duty of such commissioners, after subscribing to an oath faithfully and impartially to make the assessment submitted to them, to inspect the property and real estate and assess the damages which the owner thereof will sustain by the appropriation of the same to the use of said city for the purposes herein provided, and to make report thereof in writing to the City Council of said city, which report shall be spread at length upon the records of said city. Said commissioners shall receive two dollars per day each for their services, which amount shall be paid by the city out of the "water fund."

§ 4.—APPRAISED VALUE DEPOSITED, ETC.—Before entering upon the property and real estate approved by said commissioners, the Mayor and Council shall cause to be deposited the amount of such appraisal with the City Treasurer for the use and benefit of the persons to whom the same is payable, and when such deposit is made, the Mayor and Council shall be authorized to enter and construct such well or reservoir.

§ 5. CLERK TO NOTIFY.—As soon as said commissioners are elected, as herein provided, it shall be the duty of the City Clerk to notify all parties interested in the proposed appropriation, of such election and the time such assessment will be made. Such notice shall be delivered to such persons or left at their usual place of residence. As soon as said commissioners make their

report, and the amount thereof is deposited as herein provided, said clerk shall cause the same to be filed and recorded in the County Clerk's office of Lancaster county, Nebraska.

§ 6.—WHEN TO TAKE EFFECT.—This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed January 16, 1882. Approved February 7, 1882.
Published February 8, 1882.

ARTICLE IX.

Railroad Bonds.

AN ORDINANCE calling a special election for the city of Lincoln, for the purpose of enabling the legal voters of said city to vote upon a proposition to issue and give the bonds of said city to the Fremont, Elkhorn & Missouri Valley Railroad Company, to the amount of fifty thousand dollars (\$50,000), to aid in the construction of said company's railroad.

Be it ordained by the Mayor and Councilmen of the City of Lincoln :

1559. § 1. That a special election is hereby called to be held in the city of Lincoln, in the county of Lancaster, state of Nebraska, on the seventh (7th) day of November, A. D. 1885, at the places hereinafter specified in each ward of said city, for the purpose of enabling the legal voters of said city to vote upon the following proposition, that is to say: Shall the city of Lincoln, in the county of Lancaster, state of Nebraska, issue its bonds to the amount of fifty thousand dollars (\$50,000) with interest coupons thereto attached, payable to bearer twenty years after their date, and drawing interest at the rate of five per centum per annum, payable semi-annually on the 1st days of January and July of each year; said bonds to be dated on the 1st day of July, 1886, interest and principal payable at the banking house of Kountze Brothers, in the city of New York; said bonds to be issued and delivered to the Fremont, Elkhorn & Missouri Valley Railroad Company.

Provided, Said railroad company shall construct its line of railroad of the standard gauge, from its line already constructed at or near the city of Fremont, in said state, to and into the said city of Lincoln, on or before the first day of November, 1886, such bonds to be issued and delivered to said company when said railroad shall have been so constructed and continuous trains run thereon,

to and into said city, and when said railroad company shall have provided within the limits of said city, station grounds and depots for handling freight and for the accommodation of passengers.

And shall the proper officers of said city, in addition to the usual taxes, annually cause to be levied a tax on the taxable property in said city, sufficient to pay the interest on said bonds as such interest shall become due and payable, and also after ten years from the date of said bonds, annually levy a tax on the taxable property of said city, in addition to all other taxes, sufficient to pay the principal at maturity.

§ 2. The places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln, shall be as follows, to-wit:

First ward, at city scales.

Second ward, at the engine house.

Third ward, at Byer's shop.

Fourth ward, at Howard's shop.

And the ballots voted at said election shall have written or printed thereon, or partly written and printed thereon, the words:

"Bonds and tax for the Fremont, Elkhorn & Missouri Valley Railroad Company; yes;" or, "Bonds and tax for the Fremont, Elkhorn & Missouri Valley Railroad Company; no."

§ 3. Should two-thirds ($\frac{2}{3}$) or more of the ballots cast at said election have written or printed, or partly written and partly printed thereon, the words, "Bonds and tax for the Fremont, Elkhorn & Missouri Valley Railroad Company, yes;" then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue said bonds and levy such tax at the time, for the purpose, and upon the conditions, specified in such proposition.

§ 4. There shall be three judges and two clerks appointed by the Mayor and Council for each ward, and the judges and clerks so appointed shall perform the duties at such election which devolve upon judges and clerks of election for city officers, and the returns of said election shall be made by the judges and clerks thereof to the Mayor and Council of said city, who shall canvass the vote and declare the result thereof at the first regular meeting after such election, or as soon thereafter as practicable.

§ 5. The proposition for the issuance of such bonds and the levying of the tax as hereinbefore contained, shall be published

for at least four weeks in the weekly *State Journal*, a newspaper published in said city, and of general circulation therein.

§ 6. The polls at said election shall be open at nine o'clock in the forenoon and continue open until 7 o'clock in the afternoon of the same day.

§ 7. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Approved October 6, 1885.

AN ORDINANCE to submit to the electors of the city of Lincoln, Nebraska, a proposition to vote \$50,000 of the bonds of the city for the purpose of aiding the construction of a railroad into the city of Lincoln, Nebraska, by the Missouri Pacific Railway Company, and to provide a tax for the payment thereof.

Be it ordained by the Mayor and Councilmen of the City Council of the City of Lincoln:

1560. § 1. That a special election be held in the several wards of said city for the purpose of taking the vote of the electors of said city upon a proposition to be submitted to them, a copy of which is hereto annexed. That said election shall be held on the 10th day of October, 1885, at the places hereinafter mentioned of voting in the several wards, and shall be opened at 8 o'clock A. M. of said day and remain open until 6 o'clock of the afternoon of said day. The question on said proposition shall be taken by ballots, and upon each of the ballots shall be printed or written the words, "For railroad bonds;" or, "Against railroad bonds." If more than two-thirds of the ballots cast have thereon the words, "For railroad bonds," then it shall be deemed and taken that the vote is in favor of the adoption of the said proposition. And if one-third or more of the ballots shall have upon them the words, "Against railroad bonds," then the proposition shall be deemed to have been defeated. The said election shall be conducted and the result ascertained in the manner prescribed by law for general elections, so far as such law is applicable, and according to the laws provided for elections upon such propositions. And due record shall be made of the said vote and the canvass thereof and the result of said election as declared by the proper authorities, and publication of the same shall be made according to law in such case made and provided.

§ 2. If at the election provided in the said proposition more than two-thirds of the persons voting thereat shall vote in favor of the same, such bonds shall be of the denomination of \$1,000 and duly executed by the proper officers of the city, and shall

be deposited in the hands of a trustee to be agreed upon between the Mayor and said company, to be held by him and delivered upon the terms and conditions specified in the said proposition. They shall have annexed thereto interest coupons in the usual form, and be sealed with the seal of the city, and be payable at the office of Kountze Brothers, bankers, in the city of New York.

§ 3. The places of holding such election shall be as follows:

First ward, at city scales.

Second ward, at engine house.

Third ward, Byer's shop.

Fourth ward, Howard's shop.

§ 4. The Mayor shall make due proclamation of the said election, setting forth at length therein this ordinance and said proposition, and the same shall be published for four weeks before said election in the *Weekly Nebraska State Journal* newspaper, and posted at each of the polling places above mentioned, so that the same may be read by all of the electors.

§ 5. This ordinance shall take effect and be in force from and after its passage.

Shall the city of Lincoln, in the county of Lancaster and state of Nebraska, issue and donate to the Missouri Pacific Railway Company its bonds to the amount of fifty thousand (\$50,000) dollars, to bear date on the first day of November, 1885, and be payable twenty years after date, with interest at the rate of 5 per cent per annum, payable semi-annually; interest to begin to run from the first day of January, 1886, and be payable on the first day of July and January of each year thereafter until the maturity of said bonds, principal and interest payable at the bank of Kountze Brothers, in the city of New York?

And shall the proper officers of said city, in addition to the usual taxes, annually cause to be levied a tax on the taxable property in said city sufficient to pay the interest on said bonds as such interest shall become due and payable; and also such further sum as may be necessary to create a sinking fund to pay the principal of said bonds at their maturity?

The said bonds are to be issued and donated to said railroad company in order to aid it to construct its railroad from a point on its line already constructed in this state, to and into the city of Lincoln. Said railroad shall be a first-class railroad of standard gauge, and connected with the line of said company already constructed, so that continuous trains may be run thereon from its said constructed line into said city, the said already con-

struced line being taken for the purposes of this stipulation as a first-class standard-gauge road. Active work of the construction of said railroad shall begin within thirty days from the election adopting this proposition and from the time when its adoption shall be duly declared, so that the issue of said bonds shall be authorized by law, and said railroad shall be completed by the first day of September, 1886. Thirty days after the active work of constructing said railroad shall have begun, said bonds shall be deposited in the hands of a trustee to hold the same in trust for said company and said city. If by the first day of September, 1886, the said railroad company shall complete said railroad, with a necessary depot for freight and passengers at said city and other appurtenances, and run regular trains thereon from its already constructed line in this state to and into the said city of Lincoln, the said trustee shall deliver said bonds to said company so soon as said railroad, with depot and appurtenances, shall be completed as aforesaid and cars running as aforesaid. But if said railroad company shall fail to build and complete said railroad with depot and appurtenances at said city by the day last aforesaid, and run regular trains thereon from its already constructed line to and into the city of Lincoln, then the said trustee shall deliver said bonds to the Mayor of said city to be canceled. Two-thirds of the electors voting at said election must vote for this proposition or it will not be adopted, and said bonds shall not be delivered to said trustee or said company.

Approved September 9, 1885.

AN ORDINANCE to submit to the electors of the city of Lincoln, Nebraska, a proposition to vote \$20,000 of bonds of the city for the purpose of aiding the construction of a railroad into the city of Lincoln, Nebraska, by the Missouri Pacific Railway Company, and to provide a tax for the payment thereof.

Be it ordained by the Mayor and Councilmen of the City Council of the City of Lincoln :

1561. § 1. That a special election be held in the several wards of said city for the purpose of taking the vote of the electors of said city upon a proposition to be submitted to them, a copy of which is hereto annexed. That said election shall be held on the 9th day of January, 1886, at the places hereinafter mentioned of voting in the several wards, and shall be opened at nine o'clock A. M. of said day, and remain open until seven o'clock of the afternoon of said day. The question on said proposition shall

be taken by ballot, and upon each of the ballots shall be printed or written the words, "For railroad bonds;" or, "Against railroad bonds." If more than two-thirds of the ballots cast have thereon the words "For railroad bonds," then it shall be deemed and taken that the vote is in favor of the adoption of the said proposition. And if one-third or more of the ballots shall have upon them the words "Against railroad bonds," then the proposition shall be deemed to have been defeated. The said election shall be conducted and the result ascertained in the manner prescribed by law for general elections, so far as such law is applicable, and according to the laws provided for elections upon such propositions. And due record shall be made of the said vote and the canvass thereof and the result of said election as declared by the proper authorities, and publication of the same shall be made according to the law in such case made and provided.

§ 2. If at the election provided in the said proposition more than two-thirds of the persons voting thereat shall vote in favor of the same, such bonds shall be of the denomination of \$1,000, and duly executed by the proper officers of the city, and shall be deposited in the hands of a trustee, to be agreed upon between the Mayor and said company, to be held by him and delivered upon the terms and conditions specified in the said proposition. They shall have annexed thereto interest coupons in the usual form, and be sealed with the seal of the city, and be payable at the office of Kountze Brothers, bankers, in the city of New York.

§ 3. The places of holding such election shall be as follows:

First ward, at city scales.

Second ward, at engine house.

Third ward, at Byer's shop.

Fourth ward, at Howard's shop.

§ 4. The Mayor shall make due proclamation of the said election, setting forth at length therein this ordinance and said proposition, and the same shall be published for four weeks before said election in the weekly *Nebraska State Journal* newspaper, and posted at each of the polling places above mentioned, so that the same may be read by all of the electors.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Shall the city of Lincoln, in the county of Lancaster and state of Nebraska, issue and donate to the Missouri Pacific Railway Company its bonds to the amount of twenty thousand (\$20,000)

dollars, to bear date on the first day of January, 1886, and to be payable twenty years after date, with interest at the rate of five per cent per annum, payable semi-annually; interest to begin and run from date, and be payable on the first day of July and January of each year thereafter until the maturity of said bonds, principal and interest payable at the bank of Kountze Brothers in the city of New York?

And shall the proper officers of said city, in addition to the usual taxes, annually cause to be levied a tax on the taxable property in said city sufficient to pay the interest on said bonds, as such interest shall become due and payable; and also such further sum as may be necessary to create a sinking fund to pay the principal of said bonds at their maturity?

The said bonds are to be issued and donated to said railroad company in order to aid it to construct its railroad from a point on its line already constructed in this state to and into the city of Lincoln; said railroad shall be a first-class railroad of standard gauge, and connected with the line of said company already constructed, so that continuous trains may be run thereon, from its said constructed line into said city, the said already constructed line being taken for the purposes of this stipulation as a first-class standard-gauge road. Said railroad shall be completed by the first day of September, 1886. Thirty days after the election accepting this proposition, said bonds shall be deposited in the hands of a trustee to hold the same in trust for said company and said city. If by the first day of September, 1886, the said railroad company shall complete said railroad, with a necessary depot for freight and passengers at said city, and other appurtenances, and run regular trains thereon from its already constructed line in this state, to and into the said city of Lincoln, the said trustees shall deliver said bonds to said company as soon as said railroad, with depot and appurtenances, shall be completed as aforesaid and cars running as aforesaid. But if said railroad company shall fail to build and complete said railroad, with depot and appurtenances, at said city by the day last aforesaid, and run regular trains thereon from its already constructed line to and into the city of Lincoln, then the said trustees shall deliver said bonds to the Mayor of said city to be canceled. Two-thirds of the electors voting at said election must vote for this proposition or it will not be adopted, and said bonds shall not be delivered to said trustee or said company.

Approved December 8, 1885.

AN ORDINANCE to provide for calling a special election in the city of Lincoln, Nebraska, to submit to the legal voters of said city the question of aiding the Chicago, Rock Island and Pacific Railway Company in constructing its railroad from a point in, or in the vicinity of, South Omaha to said city of Lincoln, by issuing to said company the bonds of said city of Lincoln in the amount of fifty thousand dollars, and for the levy of an annual tax to pay the interest on such bonds, and also for the levy of such additional tax as will create a sinking fund sufficient to pay the principal of such bonds at their maturity.

Be it ordained by the Mayor and Council of the City of Lincoln:

1562. § 1. That a special election be and the same is hereby called to be held in said city of Lincoln, in the county of Lancaster, in the state of Nebraska, on Tuesday, the 26th day of June, 1890, for the purpose of submitting to the legal voters of said city the following question and proposition, that is to say: Shall the city of Lincoln, in the county of Lancaster, in the state of Nebraska, aid the Chicago, Rock Island and Pacific Railway Company, a corporation of the state of Nebraska, in constructing its railroad from a point in, or in the vicinity of, South Omaha, in said state, to said city of Lincoln, by issuing to the said railway company fifty bonds of said city, of the denomination of one thousand dollars each; said bonds to be dated on the first day of October, 1890, and payable to the bearer at the fiscal agency of said state of Nebraska in the city of New York, twenty years after the date thereof; to be redeemed at the option of said city at the fiscal agency aforesaid at any time after ten years from the date thereof, and to bear interest at the rate of five per centum per annum, payable semi-annually on the first day of January and July of each year, for which interest coupons shall be attached, payable at the fiscal agency aforesaid? And, shall the Mayor and Council of said city of Lincoln, or other person or persons charged by law with levying the taxes for said city for the time being, cause to be levied semi-annually, on all the taxable property of said city, a tax sufficient for the payment of the interest on said coupon bonds as it shall become due, and also cause to be levied such additional annual tax as shall create a sinking fund sufficient to pay the principal of said bonds at their maturity? *Provided*, That said city shall only be liable to pay the interest on said bonds from the time said railway company shall become entitled to receive the same as hereinafter provided: And *Provided further*, That said bonds shall be issued to said railway company when said railway company shall construct its line of railroad of the standard gauge from a point in, or in the vicinity of, South Omaha, Nebraska, to and into the city of Lincoln, Nebraska, on or before the first day of July, 1891, such

bonds to be issued and delivered to said company when said railroad shall have been so constructed, and continuous trains running thereon to and into said city of Lincoln, and when said railway company shall have provided, within the limits of said city, station grounds and depots for handling freight and for accommodation of passengers: And *Provided further*, That said bonds shall be issued by the proper authorities and officers of said city, by said officers preparing, signing, sealing said bonds, and delivering the same to said railway company upon the full performance, by said company, of each and all of the conditions precedent, set forth in this ordinance.

§ 2. The places where the vote upon the foregoing proposition shall be had and taken in said city of Lincoln shall be as follows, to-wit:

First ward, at Engine House No. 1.

Second ward, at Ensign's livery barn.

Third ward, at 1320 O street.

Fourth ward, at the Lindell hotel.

Fifth ward, at Stutheit's grocery store.

Sixth ward, at Nightingale's store, corner 27th and O streets.

Seventh ward, at Brown's lumber yard.

§ 3. At the special election so called and to be held, the question set forth in section one of this ordinance shall be taken and submitted to the legal voters of said city in the following form, that is to say: The form of the ballots to be used in such election in favor of said question and proposition shall be as follows: "For the issue of bonds in aid of the Chicago, Rock Island and Pacific Railway Company and the levy of taxes to pay the interest thereon and principal thereof." And the form of the ballots to be used at such election against said question and proposition shall be: "Against the issue of bonds in aid of the Chicago, Rock Island and Pacific Railway Company and the levy of taxes to pay the interest thereon and the principal thereof."

§ 4. Should two-thirds ($\frac{2}{3}$) or more of the ballots cast at said election have written or printed, or partly written and partly printed thereon, the words "For the issue of bonds in aid of the Chicago, Rock Island and Pacific Railway Company and the levy of taxes to pay the interest thereon and the principal thereof—Yes," then the foregoing proposition shall be considered as adopted, and the Mayor and Council of said city shall be authorized to issue said bonds and levy such tax at the time, for the purpose of, and upon the condition specified in such proposi-

tion. And the bonds so voted shall be signed by the Mayor and City Clerk as provided by law: *Provided*, That said bonds shall not be issued, signed, sealed, or delivered to said railway company until said railroad shall be built and completed, with passenger and freight trains running daily, both ways, for the purpose of carrying passengers and freight, between a point in the vicinity of the city of South Omaha, Nebraska, and the city of Lincoln, Nebraska.

§ 5. There shall be three (3) judges and two (2) clerks appointed by the Mayor and Council for each of the wards of said city, and the judges and clerks so appointed shall perform the duties at such election which devolve upon the judges and clerks of election for city officers, and the returns of said election shall be made up by the judges and clerks thereof, and the Mayor and Council of said city shall canvass the vote and declare the result thereof at the first regular meeting after such election, or as soon thereafter as practicable.

§ 6. The proposition for the issuance of such bonds and the levying of the tax as hereinbefore contained shall be published for at least four (4) weeks in some newspaper of general circulation published in said city.

§ 7. The polls at said election shall be open at 9 o'clock in the forenoon, and continue open until 7 o'clock in the afternoon of the same day.

§ 8. This ordinance shall take effect and be in force from and after its passage and publication according to law.

[Passed May 27, 1890. Approved May 27, 1890.]

AN ORDINANCE to authorize the city of Lincoln to issue and deliver bonds to the amount of \$50,000 to the Chicago, Rock Island and Pacific Railway Company.

1563. WHEREAS, At a special election held in the city of Lincoln, Nebraska, on the 26th day of June, 1890, to vote upon a proposition submitted by an ordinance calling a special election in the city of Lincoln, Nebraska, for the purpose of enabling the legal voters of Lincoln to vote upon a proposition as follows: "Shall the city of Lincoln, in the county of Lancaster, in the state of Nebraska, aid the Chicago, Rock Island and Pacific Railway Company, a corporation in the state of Nebraska, in constructing its railroad from a point in the vicinity of South Omaha, in said state, to the city of Lincoln, by issuing to said railway company fifty bonds of said city, in the denomination of

one thousand dollars each, said bonds to be dated the first day of October, 1890, and payable to the bearer at the fiscal agency of said city of Lincoln, Nebraska, in the city of New York, twenty years after the date thereof, to be redeemed at the option of said city at the fiscal agency aforesaid at any time after ten years from the date thereof, and to pay interest at the rate of five per centum per annum, and payable semi-annually on the first days of January and July, in each year, for which interest coupons shall be attached, payable at the fiscal agency as aforesaid; and shall the Mayor and Councilmen of said city of Lincoln, or other person or persons charged by law with levying the taxes for said city, for the time being, cause to be levied semi-annually on all taxable property of said city a tax sufficient for the payment of the interest on said coupon bonds as it shall become due, and also cause to be levied such additional annual tax as shall create a sinking fund sufficient to pay the principal of said bonds at their maturity;" and

WHEREAS, It has been ascertained by the canvass of the votes cast at said election that the proposition contained in said ordinance was carried by the requisite majority, of more than two-thirds of all votes cast at said election; therefore

Be it ordained by the Mayor and Councilmen of the City of Lincoln :

§ 1. That the city of Lincoln is hereby authorized to issue coupon bonds in denomination of \$1,000 each, to the amount of \$50,000, payable to the bearer twenty years after date, and redeemable at the option of said city at any time after ten years from the date thereof, said bonds to be dated October 1st, 1890, and to draw interest at the rate of 5 per cent per annum, payable semi-annually at the fiscal agency of the state of Nebraska in the city of New York, said bonds to bear interest from January 1st, 1892.

§ 2. Said bonds shall be signed by the Mayor and attested by the Clerk of said city, who shall affix thereto the seal of the city of Lincoln, and the attached coupons shall have the signature of the Mayor and Clerk thereto, and thereupon to be delivered to said company.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

]Passed March 15, 1892. Approved March 17, 1892. Published in *Sun* March 19, 1892.]

ARTICLE X.

Paving Districts.

AN ORDINANCE to amend section 1 of an ordinance entitled "An ordinance creating paving district No. one (1) in the city of Lincoln," approved April 9, 1887, and the better to define the limits of said district.

Be it ordained by the Mayor and the Council of the City of Lincoln:

1564. § 1. That section 1 of an ordinance entitled "An ordinance creating paving district No. one (1) in the city of Lincoln," approved April 9, 1887, be amended so as to read as follows:

That paving district No. one (1) in the city of Lincoln be and the same is hereby created, and said paving district to include that portion of O street in said city from the west side of Seventh street to the east side of Ninth street; also that portion of N street in said city from the west side of Seventh street to the east side of Ninth street; also that portion of P street in said city from the west side of Seventh street to the east side of Ninth street; also that portion of Q street and R street in said city from the west side of Seventh street to the east side of Ninth street; also that portion of S street in said city from the west side of Eighth street to the east side of Ninth street; also that portion of Seventh street in said city from the south side of N street to the north side of R street; also that portion of Eighth street in said city from the south side of N street to the north side of S street; also that portion of Ninth street in said city from the south side of N street to the north side of S street, with all estate on both sides of said N, O, P, Q, R, and S streets, and Seventh, Eighth, and Ninth streets, to the depth of one hundred and fifty (150) feet.

§ 2. This ordinance shall take effect and be in force from and after its approval and publication according to law.

Approved this 6th day of June, A. D. 1887.

AN ORDINANCE to amend section 1 of an ordinance entitled "An ordinance creating paving district No. 2 in the city of Lincoln," approved April 9, 1887, and the better to define the limits of said district.

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That section 1 of an ordinance entitled "An ordinance creating paving district No. 2 in the city of Lincoln," approved April 9, 1887, be amended so as to read as follows: That paving district No. 2 (two) in the city of Lincoln be and the same hereby is created, the said paving district to include that portion of N and O and P streets in said city from the east side of Ninth street to the west side of Fourteenth street; also all that portion of Q street in said city from the east side of Ninth street to the east side of Eleventh street; also all that portion of Tenth street in said city from the north side of N street to the south side of Q street; also all that portion of Eleventh street in said city from the south side of J street to the south side of Q street; also all that portion of Twelfth street in said city from the north side of N street to the south side of P street; also all that portion of Thirteenth street in said city from the north side of N street to the south side of P street, and all estate on both sides of said N, O, P, Q, Tenth, Eleventh, Twelfth, and Thirteenth streets, to the depth of one hundred and fifty (150) feet.

§ 2. This ordinance shall take effect and be in force from and after its approval and publication according to law.

Approved this 6th day of June, A. D. 1887.

AN ORDINANCE creating paving districts numbers 3, 4, 5, 6, 7, and 8 in the city of Lincoln, defining the limits of said districts, and establishing the width of roadway of streets in said districts between curb lines, and repealing "An ordinance creating paving districts Nos. 3, 4, and 5 in the city of Lincoln," approved February 2, 1888.

Be it ordained by the Mayor and City Council of the City of Lincoln:

1565. § 1. That paving district No. 3, in the city of Lincoln, be and the same is hereby created. The said paving district shall include that portion of O street, in said city, from the west line of Fourteenth street to the west line of Twenty-seventh street, and all estate on both sides of O street to the depth of 150 feet. The roadway between curb lines shall be seventy feet in width.

§ 2. That paving district No. 4, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of N street from the west line of Fourteenth street

to the west line of Sixteenth street, M street from the east line of Eleventh street to the west line of Sixteenth street, Twelfth and Thirteenth streets from the south line of N street to the north line of M street, and Fourteenth and Fifteenth streets from the south line of O street to the north line of M street, and all estate on both sides of said streets to the depth of 150 feet. The roadway between curb lines on all streets 100 feet wide shall be sixty feet, and on all streets 120 feet wide shall be seventy feet.

§ 3. That paving district No. 5, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of P street from the east line of Fourteenth to the west line of Sixteenth streets, Q street from the east line of Eleventh street to the west line of Sixteenth street, R street from the east line of Ninth street to the west line of Seventeenth street, S street from the east line of Ninth street to the west line of Tenth street, Ninth street from the north line of S street to the south line of T street, Tenth street from the north line of Q street to the south line of T street, Eleventh street from the north line of Q street to the south line of R street, Twelfth street from the north line of P street to the south line of R street, Thirteenth street from the north line of P street to the south line of R street, Fourteenth street from the north line of O street to the south line of U street, Fifteenth street from the north line of O street to the south line of P street, Sixteenth street from the north line of Q street to the south line of V street, and all estate on both sides of said streets to the depth of 150 feet. The roadway between curbs shall be as follows, to-wit: Ninth, Tenth, Eleventh, Sixteenth, and that portion of R street between Ninth and Tenth streets, shall be fifty feet in width, S street between Ninth and Tenth shall be fifty feet in width, P and Q streets shall be forty feet in width, and that portion of R street from the east line of Tenth to the west line of Seventeenth shall be forty feet in width, and Fifteenth street, between O and P, shall be sixteen feet in width, and Fourteenth street from O to south line of U street shall be forty feet wide.

§ 4. That paving district No. 6, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of L street from the east line of Eleventh street to the west line of Sixteenth street, K street from the east line of Eleventh street to the west line of Sixteenth street, J street from the west line of Eleventh street to the west line of Fourteenth street, Twelfth street from the south line of M street to the north

line of J street, Thirteenth street from the south line of M street to the north line of J street, Fourteenth street from the south line of M street to the north line of H street, Fifteenth street from the south line of M street to the north line of K street, and all estate on both sides of said streets to the depth of 150 feet. The roadway between the curb lines shall be as follows, to-wit: All streets in district to have roadway forty feet in width excepting Fifteenth street between M and K streets, and J street from Eleventh street to Fourteenth street, which shall have a roadway of fifty feet in width.

§ 5. That paving district No. 7, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of Ninth street from the south line of N street to to the north line of H street, Tenth street from the south line of N street to the north line of G street, H street from the east line of Ninth street to the west line of Tenth street, and J, K, L, and M streets from the east line of Eighth street to the west line of Eleventh street, and all estate on both sides of said streets to the depth of 150 feet. The roadway between curb lines shall be as follows, to-wit: Tenth street from N street to J street, and Ninth street from N street to H street, shall be fifty feet in width, Tenth street from J street to G street shall be forty feet in width, and H, J, K, and L streets shall be forty feet in width, and M street from Eighth street to Eleventh street shall be sixty feet in width.

§ 6. That paving district No. 8, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of Eleventh street from the south line of J street to the north line of C street, and D, E, F, G, and H streets from the east line of Tenth street to the west line of Twelfth street, and all estate on both side of saids streets to the depth of 150 feet. The roadway between curb lines shall be as follows, to-wit: Eleventh street from the south line of J street to the north line of C street shall be fifty feet in width, and D, E, F, G, and H streets, from the east line of Tenth street to the west line of Twelfth street, shall be forty feet in width.

§ 7. That an ordinance entitled, An ordinance creating paving districts Nos. 3, 4, and 5 in the city of Lincoln, and approved February 2, 1888, shall be and the same is hereby repealed.

§ 8. That this ordinance shall take effect and be in force from and after its approval and publication according to law.

Approved February 23, 1888.

AN ORDINANCE to amend section 4 of an ordinance entitled "An ordinance creating paving districts numbers 3, 4, 5, 6, 7, and 8 in the city of Lincoln, defining the limits of said districts, and establishing the width of roadway of streets in said districts between curb lines, and repealing an ordinance creating paving districts Nos. 3, 4, and 5 in the city of Lincoln, approved February 2, 1888." Approved February 23, 1888.

Be it ordained by the Mayor and Council of the City Lincoln, Nebraska:

1567. § 1. That section 4 of the above described ordinance be and the same is hereby amended to read as follows: Sec. 4. That paving district No. 6, in the city of Lincoln, be and the same is hereby created, the said paving district to include that portion of L street from the east line of Eleventh street to the west line of Sixteenth street, K street from the east line of Eleventh street to the west line of Sixteenth street, J street from east line of Eleventh street to the west line of Fourteenth street, Twelfth street from the south line of M street to the north line of J street, Thirteenth street from the south line of M street to the north line of J street, Fourteenth street from the south line of M street to the north line of H street, Fifteenth street from the south line of M street to the north line of K street, and all estate on both side of said streets to the depth of 150 feet. The roadway between the curb lines shall be as follows, to-wit: All streets in district to have roadways forty feet in width, excepting Fifteenth street between M and K streets, J street from Eleventh to Fourteenth, K street from Fourteenth to Sixteenth, and Fourteenth street from K to north line of H street, which shall have a roadway of fifty feet in width.

§ 2. That section 4, as now existing, be and the same is hereby repealed. This ordinance shall be in force and take effect from and after its passage and approval and publication according to law.

Approved September 7, 1889.

AN ORDINANCE creating paving district number 13 in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district between the curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln:

1570. § 1. That paving district number thirteen (13), in the city of Lincoln, be and the same is hereby created, and the said paving district shall include that portion of Sixteenth street in said city from the north line of O street northward to the north

line of Q street, and all estate on both sides of said Sixteenth street to the depth of 150 feet. The roadway in said district between curb lines shall be 50 feet in width.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed March 28, 1890. Approved March 31, 1890.]

AN ORDINANCE creating paving district number 17, in the city of Lincoln, defining the limits of said district, establishing the width of the roadways of streets in said district between curb lines, and ordering the paving of said district.

Be it ordained by the Mayor and Council of the City of Lincoln :

1574. § 1. That paving district number 17, in the city of Lincoln, be and the same is hereby created, and the said paving district shall include that portion of Fifteenth street in said city, from the south side of H street southward to the north side of A street and including the real estate on both sides of said street to the depth of 150 feet.

§ 2. That, WHEREAS, A majority of the property owners of the feet frontage on said Fifteenth street, commencing at the south side of H street and extending to the north side of A street, have petitioned for the laying out of said street as a boulevard, and the parking of the same, it is hereby ordered that said street or district shall be macadamized, and that the roadways shall be twenty-five (25) feet in width, commencing at an established curb line which shall be twenty feet from the lot line, and that the thirty (30) feet in the center of said street shall be seeded with grass and planted with trees and otherwise ornamented, the same extending from the south side of H street to the north side of A street: *Provided, however,* That said macadamizing, parking, beautifying, and improving will be done subject to the approval of the Board of Public Works and City Engineer, and under such reasonable regulations as they may provide.

§ 3. That at the intersection of streets, along said Fifteenth street, the intersection shall be eighty feet wide, and that the said intersection shall be macadamized to the full width of eighty (80) feet.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed the 8th day of September, A. D. 1890. Approved the 8th day of September, A. D. 1890.]

AN ORDINANCE creating paving district No. 20.

Be it ordained by the Mayor and City Council:

1575. That paving district No. 20 is hereby created and shall embrace Twenty-fifth (25th), Twenty-sixth (26th), and Twenty-seventh (27th) streets from O street to the south side of N street, and N street from Twenty-fifth to Twenty-seventh streets, and the real estate one hundred and fifty feet on either side of said streets. The roadway between said curb lines shall be forty feet.

This ordinance shall take effect and be in force from and after its passage and publication according to law.

[Passed December 22, 1890. Approved December 26, 1890.]

AN ORDINANCE to amend an ordinance entitled "An ordinance creating paving district No. 12 in the city of Lincoln, Nebraska, defining the limits of said district, and establishing the width of roadway in said streets," passed January 20, 1890, and approved January 21, 1890.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1576. That section one of an ordinance entitled "An ordinance creating paving district No. 12" be amended to read as follows:

"§ 1. That paving district No. 12, in the city of Lincoln, be and the same is hereby created, and the said district shall comprise and include all that part of Seventeenth street lying between L street and South street and including all estate on both sides of said Seventeenth street between L and South street to the depth of 150 feet on each side, the roadway in said district to be forty feet in width between the curb lines."

§ 2. This ordinance shall be in force and effect from and after its passage, approval, and publication according to law.

[Passed December 29, 1890. Approved December 31, 1890.]

AN ORDINANCE creating paving district No. nineteen (19) in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district between curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln:

1577. § 1. That paving district number nineteen (19), in the city of Lincoln, be and the same is hereby created, and the said paving district shall include that portion of L and M street in said city from the west side of 16th street to the east side of 19th street, and also 16th, 17th, 18th, and 19th streets from the south

side of N street to the south side of L street, and all estate on both sides of said streets to the depth of 150 feet. The roadway in said district between curb lines shall be forty feet in width.

§ 2 This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed 29th day of December, A. D. 1890. Approved 31st day of December, A. D. 1890.]

AN ORDINANCE to amend "An ordinance to amend section three (3) of an ordinance approved February 23, 1888, creating paving districts numbers 3, 4, 5, 6, 7, and 8, in the city of Lincoln, defining the limits of said districts, and establishing the width of roadway of streets in said district between curb lines, and repealing 'An ordinance creating paving districts numbers 3, 4, and 5, in the city of Lincoln,' approved February 2, 1888," approved May 27, 1890.

Be it ordained by the Mayor and City Council of the City of Lincoln:

1580. § 1. That "An ordinance to amend section three (3) of an ordinance approved February 23, 1888, creating paving districts numbers 3, 4, 5, 6, 7, and 8, in the city of Lincoln, defining the limits of said districts, and establishing the width of roadway of streets in said districts between curb lines, and repealing 'An ordinance creating paving districts numbers 3, 4, and 5, in the city of Lincoln,' approved February 2, 1888," approved May 27, 1890, be amended to read as follows:

§ 2. That paving district number five (5) in the city of Lincoln be and the same is hereby created, the said paving district to include that portion of P street from the east line of Fourteenth to the west line of Sixteenth streets; Q street from the east line of Eleventh street to the west line of Sixteenth street; R street from the east line of Ninth street to the west line of Seventh street; S street from the east line of Ninth street to the west line of Tenth street; Ninth street from the north line of S street to the south line of T street; Tenth street from the north line of Q street to the south line of T street; Eleventh street from the north line of Q street to the south line of R street; Twelfth street from the north line of P street to the south line of R street; Thirteenth street from the north line of P street to the south line of R street; Fourteenth street from the north line of O to the south line of U street; Fifteenth street from the north line of O street to the south line of P street; Sixteenth street from the north line of Q street to the south line of V street; and all estate on both sides of said streets to the depth of

one hundred and fifty (150) feet, except that estate on the west of Sixteenth street between Q street and R street, and that estate on the east of Fourteenth street between Q street and R street, which shall be to the depth of three hundred and sixty (360) feet. The roadway between curbs shall be as follows, to-wit: Ninth, Tenth, Eleventh, Sixteenth, and that portion of R street between Ninth and Tenth street shall be fifty (50) feet in width; S street between Ninth and Tenth streets shall be fifty (50) feet in width; P street shall be sixty (60) feet in width; Q street shall be forty feet in width, and that portion of R street from the east line of Tenth street to the west line of Seventeenth street shall be forty (40) feet in width, and Fifteenth street between O and P streets shall be sixteen feet in width; and Fourteenth street from O to south line of U street shall be forty feet wide.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 20, 1891. Approved April 23, 1891.]

AN ORDINANCE to amend section two of an ordinance entitled "An ordinance to amend section two of an ordinance entitled 'An ordinance to amend an ordinance creating paving district number nine (9) in the city of Lincoln, to better define and otherwise change the limits of said district, approved March 11, 1890,' approved July 9, 1890," approved July 30, 1891.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska :

1582. § 1. That section 2 of an ordinance entitled "An ordinance to amend section 2 of an ordinance entitled 'An ordinance to amend an ordinance creating paving district number nine (9) in the city of Lincoln, to better define and otherwise change the limits of said district, approved March 11, 1890,' approved July 9, 1890," approved July 30, 1891, and reading as follows: "That paving district number nine (9) be and the same is hereby created, and said district shall include that portion of Twenty-seventh (27) street from the south side of O street to the south side of Y street. The roadway between curb lines on said Twenty-seventh street shall be forty feet wide between curb lines, except on that part of Twenty-seventh street between O street and R street: *Providing*, That the roadway on Twenty-seventh street between O street and R street shall be forty-seven feet wide more or less so as to leave fifteen feet on each side between curb line and property line on Twenty-seventh street. The center line of said roadway between O and R on Twenty-seventh street to be the center

line of Twenty-seventh street as platted," be amended to read as follows :

"§ 2. That paving district number nine (9) be and the same is hereby created, and said district shall include that portion of Twenty-seventh street from the south side of O street to the south side of Y street. The roadway between curb lines on said Twenty-seventh street shall be forty feet wide between curb lines, except on that part of Twenty-seventh street between O and R street and between Vine and Y street: *Providing*, That the roadway on Twenty-seventh street between O street and R street shall be forty-seven feet wide, more or less, so as to leave fifteen feet on each side between curb line and property line of Twenty-seventh street. The center line of said roadway between O and R on Twenty-seventh street to be the center line of Twenty-seventh street as platted," and provided Twenty-seventh street between the south side of Vine street and the south side of Y street shall be forty-six wide.

§ 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed November 24, 1891. Approved November 25, 1891. Published in *Laborer* November 28, 1891.]

AN ORDINANCE to amend an ordinance entitled "An ordinance creating paving district No. 11 in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district between curb lines, and repealing an ordinance creating paving district No. 11," approved December 30th, 1889.

Be it ordained by the Mayor and Council of the City of Lincoln, Neb. :

1583. § 1. That an ordinance creating paving district No. 11 in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of street in said district between curb lines, and repealing an ordinance creating paving district No. 11, approved December 30th, 1889, be amended to read as follows :

§ 2. That paving district No. 11 in the city of Lincoln be and the same is hereby created, the said paving district to include that portion of L street from the east side of 5th street to the east side of 8th street, 6th street from the north side of K street to the south side of L street, and all estate on both sides of said

streets to the depth of 150 feet. The roadway between the curb lines shall be forty feet in width.

§ 3. That all ordinances or parts of ordinances in conflict herewith are repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed March 8, 1892. Approved March 11, 1892. Published in *Sun* March 12, 1892.]

AN ORDINANCE creating alley paving district No. four in the city of Lincoln, defining the limits of said district.

Be it ordained by the Mayor and Council of the City of Lincoln:

1584. § 1. That alley paving district No. four in the city of Lincoln be and the same is hereby created, and the said district shall comprise and include all the alleys in block 66, block 68, and block 100, of the original city of Lincoln, and including all of the estate on both sides of the alleys in said numbered blocks to the depth of one hundred and fifty feet.

This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 2, 1892. Approved August 5, 1892. Published in *Sun* August 6, 1892.]

AN ORDINANCE to amend an ordinance entitled "An ordinance creating paving district number eighteen (18) in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district between curb lines," passed and approved the 5th day February, 1891, by changing the width of roadway of streets in said district between curb lines, and to repeal said original ordinance.

Be it ordained by the Mayor and Council of the City of Lincoln:

1585. § 1. That section one of an ordinance entitled "An ordinance creating district number eighteen (18) in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district," passed and approved the 5th day of February, 1891, be and the same is hereby amended to read as follows:

"§ 1. That paving district number eighteen (18) in the city of Lincoln be and the same is hereby created, and said paving district shall include all that portion of N street from west side of Sixteenth to east side of Nineteenth streets, and also that portion of Sixteenth street from the south line of N street to the south line of O street, Seventeenth street from the south line of

N to the south line of O street, Eighteenth street from the south line of N to the south line of O street, and Nineteenth (19th) street from the south line of N to the south line of O street, and all estate on both sides of said Sixteenth, Seventeenth, Eighteenth, Nineteenth, and N streets to the depth of 150 feet. The roadway in said district between curb lines shall be fifty feet in width on Sixteenth, Seventeenth, Eighteenth, and Nineteenth streets and sixty feet on N street."

§ 2. That section one of said ordinance as now existing be and the same is hereby repealed, and this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 16, 1892. Approved August 20, 1892. Published in *Sun* August 22, 1892.]

AN ORDINANCE creating alley paving district number five (5) in the city of Lincoln, defining the limits of said district, and ordering the grading and paving done.

Be it ordained by the Mayor and Council of the City of Lincoln :

1586. § 1. That alley paving district number five (5) in the the city of Lincoln be and the same is hereby created, and the same shall include the alley in the block bounded by P street on the south, Fourteenth street on the west, Q street on the north, and Sixteenth on the east. The roadway therein to be sixteen feet in width.

§ 2. That, WHEREAS, the owners of three-fifths of the feet front of property abutting upon the alley in said block and paving district have united in a petition requesting that the said alley and district be paved, it is hereby ordered that the said alley and district shall be paved with two courses of brick on sand, and that the cost of such grading and paving shall be assessed against the property abutting against such alley.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 16, 1892. Approved August 20, 1892. Published in *Sun* August 22, 1892.]

AN ORDINANCE creating paving district No. 24 in the city of Lincoln, defining the limits of said district, establishing the width of the roadway of streets in said district between curb lines, and to repeal an ordinance creating said district.

Be it ordained by the Mayor and Council of the City of Lincoln:

1587. § 1. That paving district No. 24 of the city of Lincoln be and the same is hereby created, and the said paving district shall include that portion of Fourteenth street from the north line of U street in said city to a line opposite an extension of the south line of Clairemont street, and all estate on both sides of said street to a depth of one hundred and fifty feet. The roadway in said district between curb lines shall be forty feet in width.

§ 2. That an ordinance entitled "An ordinance creating paving district number twenty-four (24) in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district, approved May 25th, 1892, be and the same is hereby repealed, and this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 25, 1892. Published in *Sun* August 29, 1892.]

AN ORDINANCE creating paving district number twenty-five in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets therein between curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln:

1588. § 1. That paving district number 25 in the city of Lincoln be and the same is hereby created, and the said paving district shall include that portion of J street between the east line of Seventeenth street and the west line of Eighteenth street, and all that portion of K street, in said city, between the east line of Sixteenth street and the west line of Eighteenth street, and also the alley in the block bounded on the south by J street, on the west by Seventeenth street, on the north by K street, on the east by Eighteenth street, and all estate on both sides of said streets and alley to the depth of 150 feet. The roadway in said district between curb lines shall be 40 feet in width.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 30, 1892. Approved September 6, 1892.]

AN ORDINANCE creating paving district number twenty-six in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets therein between curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln:

1589. § 1. That paving district number 26 in the city of Lincoln be and the same is hereby created, and the said paving district shall include that portion of F street from the east line of 17th street to the east line of 20th street, 19th street from the south line of F street to the south line of the alley in the block between E and F streets, 20th street from the south line of F street to one hundred and fifty feet, and all estate on both sides of the limits of the streets in said district to the depth of one hundred and fifty feet: *Provided*, That in Hoagland's subdivision the district shall extend to the whole depth of the lots, and in block 14, Capital addition, the district shall include all that part of said block 14 fronting on that part of 20th street which is included in said district. The roadway in said district between curb lines shall be forty feet in width.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed September 13, 1892. Approved September 17, 1892. Published in *Journal* September 20, 1892.]

AN ORDINANCE creating paving district No. 23 in the city of Lincoln, defining the limits of said district, and establishing the width of roadway of streets in said district between curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln:

1590. § 1. That paving district No. 23 in the city of Lincoln be and the same is hereby created, and the said paving district shall include all that portion of O street from the east side of 27th street to the west side of 30th street and that portion of 29th street from O street to N street, and all estate on both sides of O street to the depth of 180 feet, and all estate on both sides of said 29th street to the depth of 150 feet. The roadway in said district between curb lines shall be forty feet in width on O street and thirty-five feet in width on 29th street.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed September 20, 1892. Approved September 24, 1892. Published in *News* September 24, 1892.]

AN ORDINANCE creating alley paving district No. 9 in the city of Lincoln, defining the limits of said district.

Be it ordained by the Mayor and Council of the City of Lincoln :

1592. § 1. That alley paving district No. 9 in the city of Lincoln be and the same is hereby created, and the said district shall include all of the north and south alley in block thirty-nine (39) in the city of Lincoln.

§ 2. That the said alley and district be paved with two courses of brick on sand, and that the cost of such grading and paving shall be assessed against the property abutting against such alley.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 23, 1893. Approved June 2, 1893.]

AN ORDINANCE creating alley paving district No. 10 in the city of Lincoln, and defining the limits of said district, and establishing the width of roadway of alley in said district between curb lines.

Be it ordained by the Mayor and Council of the City of Lincoln :

1593. § 1. That alley paving district No. 10 in the city of Lincoln be and the same is hereby created, and the said paving district shall include all of the alley running north and south in block No. 39, Lincoln, and all estate on the west side of said alley to the depth of 90 feet, and all estate on the east side of the said alley to the depth of 50 feet. The roadway in the said district between curb lines shall be 10 feet in width.

§ 2. This ordinance shall take effect and be in force from and after its passage and approval, and publication according to law.

[Passed August 8, 1893. Approved August 9, 1893. Published in *Journal* August 11, 1893.]

AN ORDINANCE creating alley paving district No. 11 in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln :

1594. § 1. That alley paving district numbered 11 in the city of Lincoln be and the same is hereby created, and that the said district shall include the alley in block numbered 147 from 10th to 11th streets in the original plat of said city.

§ 2. This ordinance shall take effect from and after its passage and approval according to law.

[Passed December 12, 1893. Approved December 18, 1893.]

ARTICLE XI.

Railroads.

AN ORDINANCE to repeal an ordinance entitled "An ordinance granting to the Atchison & Nebraska Railway Company the right of way over and across certain streets and alleys in the city of Lincoln, for the use and benefit of said railroad company," approved November 8, 1872, and also an ordinance approved June 30, 1873, entitled "An ordinance to amend an ordinance entitled an ordinance granting to the Atchison & Nebraska Railroad Company the right of way over and across certain streets and alleys in the city of Lincoln, for the use and benefit of said railroad company," approved November 8, 1872.

Be it ordained by the Mayor and Council of the City of Lincoln:

1595. § 1. That an ordinance entitled "An ordinance granting to the Atchison & Nebraska Railroad Company the right of way over and across certain streets and alleys in the city of Lincoln, for the use and benefit of said railroad company," approved November 8, 1872, and also an ordinance approved June 30, 1873, entitled an ordinance to amend an ordinance entitled an ordinance granting to the Atchison & Nebraska Railroad Company the right of way over and across certain streets and alleys in the city of Lincoln for the use and benefit of said railroad company," approved November 8, 1872, be and the same are hereby repealed: *Provided*, That this repeal shall not affect the right of way of said railroad company, or its grantee, to use and maintain any railroad or side tracts heretofore laid down under the authority of said ordinance or ordinances and now in use under the same conditions required by the ordinances of said city in force when such track or tracks were laid down.

§ 2. This ordinance shall be in force from and after its passage, approval, and publication.

Passed January 17, 1881. Approved January 19, 1881.

AN ORDINANCE to vacate the west half of Seventh street between O and S streets, and to appropriate the same to the use and for the benefit of of the Atchison & Nebraska Railway Company and for their purposes. Approved February 22, 1873.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1596. § 1. That the west half of Seventh street between O and S streets is hereby vacated and appropriated to the use and for the benefit of the Atchison & Nebraska Railroad Company for right of way or such other purposes as the said company may

desire to use the same: *Provided, however,* The said company shall, within six months from the passage of this ordinance, locate and permanently maintain the depot of their line of railroad in Lincoln on or adjoining the said west half of said Seventh street: And *Provided further,* That in the event either or any of the streets intervening between O and S streets should hereafter be extended through the piece or parcel of land now occupied by the Burlington & Missouri River Railroad Company in Nebraska for depot purposes, then, in that case, the city of Lincoln shall not be required to pay any consideration to the said Atchison & Nebraska Railroad Company for the right of way across the west half of said Seventh street.

§ 2. That the right of way over and across the streets and alleys between Third and Seventh streets is hereby granted to the said Atchison & Nebraska Railroad Company.

§ 3. This ordinance shall take effect and be in force from and after its publication in the *Weekly State Journal*.

Rev. Ord. 1878, p. 87.

AN ORDINANCE granting right of way to the Atchison & Nebraska Railroad Company over certain streets of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1597. § 1. That there is hereby granted to the Atchison & Nebraska Railroad Company the right to build and maintain a single track of railroad over and along on the east half of Seventh street, commencing at a point on the main line of said company's railroad between O and N street, running thence in a northeasterly direction across O street, thence along on the eastern boundary line of Seventh street north as far as Q street: *Provided,* That the said company shall be required to conform the grade of the road so as to be built with the grade of the street or streets over or along which the same is built, as such grade is now or may hereafter be established, and shall also build and maintain a good and sufficient street crossing over all streets for the whole width thereof, and keep the same open for public use, except when trains of cars may be passing across said street.

§ 2. This ordinance shall be in force and take effect from and after its publication according to law.

Approved August 23, 1873. Rev. Ord. 1878, p. 88.

AN ORDINANCE granting the right of way to the A. & N. Railway along Sixth street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1598. § 1. That the right of way over the east half of Sixth street, commencing at a point on the main line of the Atchison & Nebraska Railway near the southwest corner of block number seventy-two (72), and running thence north on the east half of Sixth street to a point opposite the west end of the alley passing east and west through block number fifty-one (51), is hereby granted to the Atchison & Nebraska Railroad Company for the time and in the manner hereinafter provided: *Provided*, Said railroad company will lay but one track along said street, and that so constructed as to conform to the established grade of the city; that at all streets and alleys suitable crossings shall be made and kept in repair by said railroad company; that said railroad company will not permit cars to stand so as to obstruct streets, sidewalks, or alleys, longer than ten minutes at any one time, and in all other respects comply with the ordinances of the city, then the above described right of way is granted to said railroad company for so long a time as the Mayor and Councilmen may deem it for the best interests of the city to permit this ordinance to remain in force, said right of way to cease when this ordinance is repealed.

§ 2. This ordinance shall take effect and be in force after its passage, approval, and due publication according to law.

Approved March 13, 1877. Rev. Ord. 1878, p. 91.

AN ORDINANCE to repeal "An ordinance granting certain rights to the Burlington & Missouri River Railroad Company," approved May 22, 1869, and also "An ordinance granting right of way to the Burlington & Missouri River Railroad in Nebraska upon and across certain streets," approved July 7th, 1874.

Be it ordained by the Mayor and Council of the City of Lincoln:

1599. § 1. That an ordinance entitled "An ordinance granting certain rights to the Burlington & Missouri River Railroad Company," approved May 22, 1869, and also an ordinance entitled "An ordinance granting right of way to the Burlington & Missouri River Railroad in Nebraska upon and across certain streets," approved July 7th, 1874, be and the same are hereby each repealed: *Provided*, That this ordinance shall not affect the right of said railroad company to use and maintain any railroad or side tracks heretofore laid down under the authority of said

ordinance or ordinances, and now in use under the same conditions required by the ordinances of said city in force when such track or tracks were laid down.

§ 2. This ordinance shall be in force from and after its passage, approval, and publication.

Passed January 17, 1881. Approved January 19, 1881. Published January 21, 1881.

AN ORDINANCE to repeal an ordinance entitled "An ordinance granting certain rights to the Midland Pacific Railroad Company," approved June 21, 1869.

Be it ordained by the Mayor and Council of the City of Lincoln:

1601. § 1. That an ordinance entitled "An ordinance granting certain rights to the Midland Pacific Railroad Company," approved June 21, 1869, be and the same is hereby repealed: *Provided*, That this ordinance shall not affect the right of said railroad company, or its successors, to use and maintain any railroad or side track heretofore laid down under the authority of said ordinance, and now in use under the same conditions required by the ordinances of said city in force when such track or tracks were laid down.

§ 2. This ordinance shall be in force from and after its passage, approval, and publication.

Passed January 17, 1881. Approved January 19, 1881. Published January 21, 1881.

AN ORDINANCE granting right of way to the Midland Pacific Railway Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1602. § 1. That the right of way is hereby granted to the Midland Pacific Railway Company in Nebraska to build and operate its railroad on Eighth street, east of the center thereof, between the north line of N street and the south line of K street; and also the right of way across such streets and alleys between Fifth street and Eighth street as the said railway company may desire to connect the tracks on the two streets for the use and business of the company, and all to be constructed upon such grade as the city may adopt: And *Provided*, That said railway company may provide and maintain all necessary crossings of said company's road, where it crosses any street or alley, and shall

not obstruct the travel thereof by their engines or cars to exceed ten minutes at any one time.

§ 2. All ordinances, so far as they are in conflict with this ordinance, are hereby repealed: *Provided*, That an ordinance granting right of way to the Midland Pacific Railway on Seventh street, approved July 23, 1874, is by the operation of this ordinance hereby repealed.

§ 3. This ordinance shall take effect and be in force from and after its due publication according to law.

Approved June 19, 1875. Rev. Ord. 1878, p. 86.

AN ORDINANCE granting right of way to the Midland Pacific Railway Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1603. § 1. That the right of way is hereby granted to the Midland Pacific Railway Company in Nebraska to build, extend, and operate its railroad on Eighth street, east of the center thereof, between the north line of N street and the center of the alley which runs east and west through the center of block number fifty-three (53), all to be constructed on such grade as will conform to the grade of the streets heretofore or may be hereafter adopted by the city: And *Provided*, That said railway company shall provide and maintain all necessary crossings of said company's road where it crosses any street or alley, and shall not obstruct the travel thereof by their engines or cars to exceed ten minutes at any one time.

§ 2. This ordinance shall take effect and be in force from and after its due publication according to law.

Approved November 29, 1875. Rev. Ord. 1878, p. 96.

AN ORDINANCE granting right of way to the Nebraska Railway Company to build and operate its railroad over and across certain streets in the city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1604. § 1. That there is hereby granted unto the Nebraska Railway Company the right to build and maintain its railroad over and across Third (3d) street, in said city of Lincoln, thence east to Fourth (4th) street, and across said Fourth street, and along and across U street in an easterly direction to lot three (3) in block two hundred and seventy-nine (279), thence to and across

Fifth (5th) street in a southeasterly direction to lot seven (7) in block two hundred and eighty (280), thence in a southeasterly direction to T street, and over and across said T street in a northeasterly direction to lot four, in block two hundred and seventy-one (271,) thence in a southeasterly direction to a connection with the Burlington and Missouri River Railroad Company in Nebraska, as shown in plan accompanying: *Provided*, That the said Nebraska Railroad Company shall build and maintain a good and sufficient crossing and approaches over said railroad at crossing of S street, and shall, as necessity demands, provide and maintain crossings and approaches for all streets named above, and keep same open for public use except when trains of cars may be passing across said streets.

§ 2. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Approved July 23, 1877. Rev. Ord. 1878, p. 97.

AN ORDINANCE amending, modifying, and defining ordinances concerning the Burlington & Missouri River Railroad Company and the Midland Pacific Railroad Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1605. § 1. That whereas, by ordinances approved respectively May 22, 1869, and June 21, 1869, the aforesaid railroad companies were granted the right of way upon, over, along, and across, any one or more of the streets and alleys in said city; now, therefore, it is hereby declared to be the true intent and meaning of the said ordinances, and they are and each of them is hereby amended so as to read as follows: That there is hereby granted to the Burlington & Missouri River Railroad Company in Nebraska and to the Midland Pacific Railroad Company the right to build their and each of their respective roads, on such grade as they may respectively adopt, over and along any such street as they or either of them shall adopt for their or either of their line of road, and lay down such tracks and side tracks therein, and perpetually maintain and operate the same, as they or either of them may deem necessary for the business of such roads or road: *Provided*, That such railroad companies shall be limited to the streets and alleys whereon they shall first locate and build their said roads or road, which location and building shall be deemed an election and acceptance, and no interest or

right of way shall be acquired in or to any other street or alley by said railroads or railroad companies by virtue of this or any other ordinance heretofore passed by said city.

§ 2. This ordinance shall take effect and be in force from and after its due publication according to law.

Approved May 26, 1871. Rev. Ord. 1878, p. 98.

AN ORDINANCE extending right of way to the Atchison & Nebraska, and Burlington & Missouri River Railroad companies upon the east side of Seventh street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1606. § 1. That the Atchison & Nebraska Railroad Company are hereby permitted to excavate, grade, lay down, and operate, a single track of their said railroad, beginning at a point on the west side of the center of Seventh street, and not more than one hundred feet south of the south line of S street and running thence by a sufficient curve across S street to the east side of Seventh street, thence north along the east side of Seventh street, and not more than ten feet therefrom, to the south line of the alley on block nineteen in said city.

§ 2. The Burlington & Missouri River Railroad Company in Nebraska are hereby permitted to excavate, grade, lay down, and operate a single track of their said railroad, beginning at a point in Seventh street, where the company's main line of railroad crosses said street, and running thence south on the east side of said Seventh street, and not less than twelve feet from the east line thereof to the north line of S street, thence by such curve as may be necessary across said S street to the northeast corner of the present grounds of the said Burlington & Missouri River Railroad Company in said city.

§ 3. Each of said railroads shall at all times be made to conform to the grade of said Seventh street as now or hereafter established, and make and maintain all necessary crossings at each street and alley crossed by them or either of them, or forfeit not less than ten nor more than one hundred dollars for each day they or either of them shall neglect or refuse to comply herewith after receiving one day's notice in writing, which notice may be left at the depot of such company in said city, with the agent or some person in charge thereof.

§ 4. No engine or cars shall be permitted to obstruct the travel on any street for more than ten minutes at any time, and any

violation of this section shall subject the offender to a fine of not less than one dollar nor more than fifty dollars for each offense.

§ 5. This ordinance shall take effect and be in force from and after its due publication according to law.

Approved December 22, 1874. Revised Ord. 1878, p. 99.

AN ORDINANCE to repeal an ordinance entitled "An ordinance granting certain rights to the Bellevue, Ashland & Lincoln Railroad Company," approved June 21, 1869.

Be it ordained by the Mayor and Council of the City of Lincoln:

1607. § 1. That an ordinance entitled "An ordinance granting certain rights to the Bellevue, Ashland & Lincoln Railroad Company," approved June 21, 1869, be and the same is hereby repealed.

§ 2. This ordinance shall be in force from and after its passage, approval, and publication.

Passed January 17, 1881. Approved January 19, 1881. Published January 21, 1881.

AN ORDINANCE granting Seventh street, between P street and Q street, to the Burlington & Missouri Railroad Company in Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln:

1608. § 1. That all that part of Seventh street in the city of Lincoln lying between the north line of P street and the south line of Q street, in the city of Lincoln, be and the same is hereby appropriated and granted to the use of the Burlington & Missouri River Railroad Company in Nebraska, for right of way and for the erection and maintenance thereon, by said railroad company, of a building to be used for a passenger depot and other railroad purposes: *Provided, always,* And this grant is dependent upon the performance of the following conditions as conditions precedent by the said Burlington & Missouri River Railroad Company in Nebraska: That said railroad company shall convey or cause to be conveyed to the city of Lincoln, for a street, in the place of the said part of Seventh street, by a good and sufficient deed, with full covenants of warranty and title, all of lots five (5), six (6), seven (7), eight (8), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), and twenty (20), in block thirty-two (32), in the city of Lincoln, being all that part of said block lying west of the alley running from north to south through said block; and

further, shall make said ground so conveyed to the city, and the said alley above named, to conform to the grade to be established thereon for a street, free of expense to said city of Lincoln, when said grade is established under the authority of the Mayor and Council of the city of Lincoln, and the said city shall have over said grounds so conveyed the same power, authority, and jurisdiction, as over other streets in said city. And *Provided further*, That the Atchison & Nebraska Railroad Company will relinquish to the Burlington & Missouri Railroad Company in Nebraska all right to the use of said Seventh street between P street and Q street.

This ordinance shall be in force after its passage and publication.

Passed June 21, 1880. Approved June 23, 1880. Published June 26, 1880.

AN ORDINANCE to permit the Burlington & Missouri River Railroad Company in Nebraska to maintain a city delivery track on west side of Eighth street from N street to point where track on side of Eighth street intersects.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1609. § 1. That permission is hereby granted the Burlington & Missouri River Railroad Company in Nebraska to maintain a city delivery track on the west side of Eighth street in the city of Lincoln, from N street to a point where track on east side crosses said Eighth street, the track now in center of street to be taken up: *Provided*, That no more than two tracks shall be laid in said street, one track on the west side of said street, and one track on east side thereof.

§ 2. That this permission is granted upon the express condition that in the enjoyment of this privilege, the said Burlington & Missouri River Railroad in Nebraska shall, in all particulars, conform in their use of said privilege to the requirements of the city of Lincoln as to grades, paving, ditches, and drainage, and maintain good crossings, and observe all the requirements of the city as to the use and enjoyment of the easement and privilege hereby granted.

§ 3. That the track shall be laid as indicated by the plat accompanying the petition therefor, which is made a part of the files of the journal of the City Clerk, and declared to be a part of this ordinance.

§ 4. That M street crossing shall be kept open, and proper approaches and crossings made thereto, and said street crossing shall not be obstructed for a longer period than ten minutes at any one time.

§ 5. That by the acceptance of the privileges hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby conferred in favor of any person whomsoever: And *Provided*, The City Council reserves the right to give other railroads the privilege of crossing any street or track laid thereon, and to amend or change this ordinance at any time.

§ 6. That this ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed January 24, 1881. Approved January 25, 1881. Published January 27, 1881.

AN ORDINANCE granting certain parts of Fifth and U streets to the Burlington & Missouri River Railroad Company in Nebraska for railroad purposes.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1610. § 1. That there is hereby granted to the Burlington & Missouri River Railroad Company in Nebraska the right to occupy for railroad purposes the several portions of streets in said city named and designated as follows: All that portion of Fifth street north of T street; all that portion of U street between Fourth and Sixth streets, and the privilege is granted in consideration that said railroad company will build and maintain an engine house or roundhouse at or near the intersection of U and Fifth streets in said city of Lincoln; and said railroad company for above consideration will make all necessary drainage to protect that section of said city affected by the closing of said streets: *Provided*, That by the acceptance of the privileges hereby granted that said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby conferred in favor of any person whomsoever: And *Provided*, The City Council reserves the right to give other railroads the privilege of crossing any street or track laid thereon, and to amend or change this ordinance at any time.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed January 24, 1881. Approved January 25, 1881. Published January 27, 1881.

AN ORDINANCE granting the right of way across Sixth, T, and U streets, and along Seventh street, to the Burlington & Missouri River Railroad Company in Nebraska.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1611. § 1. That there is hereby granted to the Burlington & Missouri River Railroad Company in Nebraska the right of way for building and maintaining a single railroad track over and across Sixth, U, and T streets, and over and along the west half of Seventh street southward from T street to P street, so as to connect with the depot building of the Burlington & Missouri River Railroad Company in Nebraska: *Provided*, That said track shall be by said company made to conform to the grade now, or any grade that may hereafter be established for said streets by the city of Lincoln: And *Provided further*, That the said railroad company shall not obstruct the track across the said streets more than ten minutes at any one time, and that all cross streets, the entire width thereof, except as above mentioned, shall be left free and unobstructed, and that all crossings over said railroad at said streets shall be laid between the iron rails for a distance of forty-eight feet with good oak plank, and made to conform by said company, at its cost, to the grade now or any grade hereafter established by said city, and at its cost with such sluiceways, sewers, and culverts across the same, as may from time to time be required by the city of Lincoln: And *Provided*, That by the acceptance of the privilege hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby conferred in favor of any person whomsoever: And *Provided*, The City Council reserves the right to give other railroads the privilege of crossing any street or track laid thereon, and to amend or change this ordinance at any time.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed January 24, 1881. Approved January 25, 1881. Published January 27, 1881,

AN ORDINANCE granting the right of way over the east half of Fifth street, in the city of Lincoln, to the Burlington & Missouri River Railroad Company in Nebraska.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1612. § 1. That the right of way is hereby granted over the east half of Fifth street, in the city of Lincoln, from R street to M street, to the Burlington & Missouri Railroad Company in Nebraska, and said railroad company is hereby authorized to construct, lay down, and maintain, upon the east half of said street aforesaid, such tracks and side-tracks as such company may deem advisable for the proper handling of the business of said company: *Provided*, Said track and side-tracks are laid upon and made to conform to such grade of said city for said streets as may now or hereafter be established by said city, and that said railroad company shall not obstruct the travel across any part of said streets more than ten minutes at any one time, and that at all cross streets, the sidewalks, crosswalks, and street crossings shall, except as above permitted, be wholly left free from obstructions of every kind: And *Provided further*, That all crossings of said east half of said street shall be laid across with oak plank between the iron rails for a distance of forty-eight feet, or relaid by said company, at its costs, and at its cost made to conform to the grade now or any grade hereafter established by said city, and with such sluiceways, sewers, and culverts, across said streets as may from time to time be required by the city of Lincoln: And *Provided*, That by the acceptance of the privileges hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby conferred in favor of any person whomsoever: And *Provided*, The City Council reserves the right to give other roads the privilege of crossing any street or track laid thereon, and to amend or change this ordinance at any time.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed January 24, 1881. Approved January 25, 1881. Published January 27, 1881.

AN ORDINANCE granting the right of way to the Omaha & Republican Valley Railroad Company over certain streets in the city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1613. § 1. That the right of way is hereby granted to the Omaha & Republican Valley Railroad Company to build, extend, and operate, its railroad over, along, and across, the streets hereinafter named within the limits designated, as follows: P street, Q street, R street, S street, T street, from the center of Second street to the center of Fifth street; also, Second and Third streets from the north side of O street to the south of center of T street, and including east half of Fourth street; from center of P street to the southern limits of the city of Lincoln on the south side of A street, together with such track or tracks, side-tracks and switches, as the said railroad company may deem necessary and require for the proper and remunerative conducting and handling of its business in said city: *Provided*, Said tracks and side tracks are laid upon and made to conform to such grade of said city for said streets as may now or hereafter be established by said city; and that said railroad company shall not obstruct the travel across any part of said streets more than ten minutes at any one time, and that at all cross streets, the sidewalks, crosswalks, and street-crossings, shall, except as above permitted, be wholly left free from obstructions of every kind: And *Provided further*, That all crossings of said streets shall be laid across with oak plank between the iron rails for a distance of forty-eight feet, and made to conform by said company, at its cost, to the grade now or any grade hereafter established by said city, and at its cost with such sluiceways, sewers, and culverts across the same, as may from time to time be required by the City of Lincoln: And *Provided*, That by the acceptance of the privilege hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby conferred, in favor of any person whomsoever: And *Provided*, The City Council reserves the right to give other railroads the privilege of crossing any street or track laid thereon, and to amend or change this ordinance at any time.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed March 28, 1881. Approved April 4, 1881. Published April 8, 1881.

AN ORDINANCE granting to the Omaha & Republican Valley Railroad Company the right of way over certain streets in the city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1614. § 1. That in consideration of the location by the Omaha & Republican Valley Railroad Company of its depot grounds, and the building thereon of its depot, upon block forty-nine (49), block seventy-four (74), block eighty-one (81), block two hundred and forty-eight (248), block two hundred and fifty-five (255), and block two hundred and sixty (260), including Fourth street from R street to the south limits of the city, that the right of way is hereby granted over that portion of R street, Q street, P street, N street, M street, and L street, which lies between Fourth and Fifth streets.

§ 2. Be it further ordained, that the right of way is hereby granted over Fifth street in said city, from R street to M street, to said railroad company so far as it may not interfere with the right of way heretofore granted by the city to the Burlington & Missouri River Railroad Company in Nebraska, and the said Omaha & Republican Valley Railroad Company is hereby authorized to construct, lay down, and maintain, upon said street aforesaid, such tracks and side tracks as such company may deem advisable for the proper handling of the business of said company: *Provided*, Said track or side-tracks are laid upon such grade of said city as are now or may hereafter be established by said city: And *Provided further*, That said railroad company shall not obstruct the travel across said street more than ten (10) minutes at any one time.

§ 3. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Approved November 17, 1879. Published November 21st, 1879.

AN ORDINANCE granting the right of way to the Omaha & Republican Valley Railroad Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1615. § 1. That the right of way is hereby granted to the Omaha & Republican Valley Railroad Company to build, extend, and operate, its railroad over and along Fourth street in said city, from R street south through the said city to the south-

ern limits thereof: *Provided*, Said track or tracks of railroad shall be so constructed as to conform to the grade which is now or may hereafter be adopted by said city: And *Provided further*, That said railroad company shall provide and maintain suitable and necessary crossings and approaches over said company's road where it crosses any street or alley, and shall not obstruct the track thereof by their engines or cars to exceed ten (10) minutes at any one time.

§ 2. This ordinance shall take effect and be in force from and after its due publication according to law.

Approved October 29, 1879. Published October 30, 1879.

AN ORDINANCE granting the right of way over certain streets in the city of Lincoln, to the Atchison & Nebraska Railroad Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1616. § 1. That there is hereby granted to the Atchison & Nebraska Railroad Company the right to lay down, operate, and maintain a side track commencing at a point on the east side of Sixth street between L and M streets, thence diagonally across Sixth street, south to K street, to a point on the east side of Seventh street: *Provided, however*, That said railroad company shall keep said track in good repair, and make suitable crossings over the same to allow free and uninterrupted passage over said track, along and across said streets: And *Provided, further*, That said track shall be laid on the present grade of said streets, and shall be made to conform to any grade hereafter established, without expense to the said city of Lincoln.

§ 2. This ordinance shall take effect and be in full force from and after its passage and publication according to law.

Approved September 23, 1879. Published September 27, 1879.

AN ORDINANCE granting right of way to the Burlington & Missouri River Railroad Company in Nebraska, along a portion of Seventh street.

Be it ordained by the Mayor and Council of the City of Lincoln:

1617. § 1. That the right of way for a single track over Seventh street, commencing at a point fifty feet north of the north line of N street, connecting with the Keys & Bullock side-track, and running south to a junction with the railroad track now cross-

ing Seventh street between K and L streets be and the same is hereby granted to the Burlington & Missouri Railroad Company in Nebraska: *Provided*, That said railroad company will remove that portion of the Keys & Bullock track crossing Seventh street on N, and so construct said track as to conform to the established grade of the said city of Lincoln, and that at all streets and alleys suitable crossings shall be made and kept in repair by said railroad company; and said railroad company will not permit cars to stand so as to obstruct streets, sidewalks, crosswalks, or alleys, longer than ten minutes at any one time, and in all other respects to comply with the ordinances of the city of Lincoln now in force, or that may hereafter be adopted. The said railroad company shall provide such sluiceways, sewers, and culverts, across said track as may from time to time be required by the said city of Lincoln: And *Provided further*, That the said track shall be built in the center of the said Seventh street: And *Provided further*, That by the acceptance of the privilege hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any damages, costs, or expenses, accruing out of the exercise of the right hereby conferred, in favor of any person whomsoever; and the city of Lincoln hereby reserves the right to grant a right of way across said track or along said Seventh street to any other railroad company. The right to repeal, alter, or amend this ordinance at any time is reserved.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed May 23, 1881. Approved May 26, 1881. Published June 2, 1881.

AN ORDINANCE to repeal an ordinance entitled "An ordinance to vacate L, M, and N streets, between Fourth and Sixth streets, and to appropriate the same to the use and for the benefit of the Burlington & Missouri River Railroad Company in Nebraska, and the Omaha & Republican Valley Railroad Company.

Be it ordained by the Mayor and City Council of the City of Lincoln:

1618. § 1. That an ordinance entitled "An ordinance to vacate L, M, and N streets, between Fourth and Sixth streets, and to appropriate the same to the use and for the benefit of the Burlington & Missouri River Railroad Company in Nebraska, and the Omaha & Republican Valley Railroad Company," passed July 18, 1881, be and the same is hereby repealed.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 17, 1881. Approved October 22, 1881. Published October 24, 1881.]

AN ORDINANCE granting to the Chicago, Burlington & Quincy Railroad Company the right of way over, on, and along Sixth street, between the north side of K street, extending south to the southern line of Lincoln Park.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

1619. § 1. That there is hereby granted to the Chicago, Burlington & Quincy Railroad Company the right of way for not more than two tracks over, on, and along the west half of Sixth street, between the north line of K street and the north line of F street, and one track along the west side of Sixth street to one hundred feet south of the south line of F street, and said railroad company shall construct the tracks upon such grade as is now or may be established hereafter by the city. And in consideration of the construction of said railroad track as far south as Lincoln Park as to accommodate the said water-works, the city hereby releases the said railroad company from all damages or claims that may be made on account of the location of said line of railroad, and to protect it from any claim for damages on account of the construction of said line of railroad upon said street to the said Lincoln Park.

§ 2. This ordinance shall take effect and be considered binding between the said city of Lincoln and the said railroad company from, on, and after its publication as required by law.

Approved June 23, 1885.

AN ORDINANCE granting the right of way to the Burlington & Missouri River Railway Company in Nebraska, on the east side of Eighth street between the south line of "O" street and the south line of "P" street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

1620. § 1. That the right of way is hereby granted to the Burlington & Missouri River Railway Company in Nebraska to build and operate its railroad on Eighth street, east of the center thereof, between the south line of "O" street and the south line of "P" street, and such track to be constructed upon such grade as the city may adopt: And *Provided*, That said railway com-

pany shall provide and maintain all necessary crossings, of said company's road where it crosses in the street or alley, and shall not obstruct the travel hereof by their engines or cars to exceed five minutes at any one time: And *Provided*, That before the track is laid along such right of way, said company shall procure the consent and release and satisfaction of all claims for damages for such right of way, of the owners of lots 6 and 7 in block 44 in said city.

§ 2. This ordinance shall take effect and be in force from and after its approval and due publication according to law.

Passed August 10, 1885. Approved August 14, 1885.

AN ORDINANCE granting certain streets and alleys to the Lincoln & Northwestern Railroad Company, and to the Missouri Pacific Railway Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1621. § 1. That there be and is hereby granted to the Lincoln & Northwestern Railway Company, the right of way in and use of the following streets and alleys in the city of Lincoln: The west thirty-three (33) feet of Eighth street, between the north line of "S" street and the right of way of the Burlington & Missouri River Railroad Company in Nebraska across Eighth street, and also so much of said Eighth street as is west and northwest of a line thirty-three (33) feet east of the west line of Eighth street, and an eight (8) degree curve extending northeasterly and connecting said thirty-three-foot line with the southeast line of the right of way of the Burlington and Missouri River Railroad Company in Nebraska, and also all streets and alleys between the grant above made and the aforesaid curve on one side, and the present right of way of said company on the other side; also "S" street between the west line of Eighth street and said company's present right of way, and the alleys in block number twenty (20).

And there be and is hereby granted to the Missouri Pacific Railway Company the right of way in and use of the following streets and alleys in the city of Lincoln: So much of Eighth street as is not above granted to the said Lincoln & Northwestern Railroad Company, and is north of the north line of "S" street, and east and southeast of said eight (8) degree curve, extending northeasterly to the southeast line of said Burlington & Missouri River Railroad Company's right of way; also the west

half of Ninth street, north of the north line of "S" and south of the right of way of said Burlington & Missouri River Railroad Company; and also so much of said Ninth street as is west and northwest of an eight (8) degree curve connecting the center line of said Ninth street with a line one hundred (100) feet south and east of the southeast line of the Burlington & Missouri River Railroad Company's right of way, and southeast of above grant to said Lincoln & Northwestern railroad aforesaid, and parallel therewith, together with the right to extend and operate one of its Ninth street tracks to the south line of "S" street; also all streets and alleys north of "S" street and east and southeast of the grant above made to the Lincoln & Northwestern Railroad Company, and its present right of way, extending northeasterly to the city limits on the one side, and west and northwest of the grant above made to the Missouri Pacific Railroad Company, and a line one hundred (100) feet southeast of the above mentioned right of way of the said Burlington & Missouri River Railroad Company on the other side; also "X" street, in North Lincoln:

Provided, however, That each of said companies shall use and occupy the streets and grounds above granted to it, within ten (10) months from the passage of this ordinance, or forfeit the above grant to it.

§ 2. This ordinance shall take effect and be in force from and after its approval and publication.

Passed October 19, 1885. Approved October 22, A. D. 1885.

AN ORDINANCE to vacate T, U, and V streets, between Eighth and Ninth streets, in the city of Lincoln, and the alley extending through and into each of blocks number 18, 9, and 6 in Lincoln, and 14 in North Lincoln, and authorize the appropriation thereof by the Missouri Pacific Railway Company and the Fremont, Elkhorn & Missouri Valley Railroad Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1622. § 1. That T, U, and V streets, between Eighth and Ninth streets, in the city of Lincoln, and the alley extending through or into each of blocks numbered 18, 9 and 6 in Lincoln, and 14 in North Lincoln, be and the same are hereby vacated, and the Missouri Pacific Railway Company and the Fremont, Elkhorn & Missouri Valley Railroad Company are authorized to appropriate the same to the use of said railroad companies for railroad purposes: *Provided,* That by the acceptance hereof the said companies agree to save and keep the said city of Lincoln

harmless from the payment of any damages growing out of the exercise of the rights hereby conferred in favor of any person whomsoever.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

Passed February 15, 1886. Approved February 17, 1886.

AN ORDINANCE granting to the Missouri Pacific Railway Company the right of way over a portion of W street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1623. § 1. The right of way for the construction of railroad tracks, side tracks, and switches, is hereby granted to the Missouri Pacific Railway Company over and along the north thirty-three feet of W street from the east side of Tenth street east to the city limits, and on W street between Tenth street and the south line of the right of way of the Burlington & Missouri River Railroad Company in Nebraska: *Provided, however,* That the Missouri Pacific Railway Company shall hold the city of Lincoln harmless from all damages arising from said grant.

§ 2. This ordinance shall take effect from and after its passage, approval, and publication according to law.

Passed February 22, 1886. Approved February 25, 1886.

AN ORDINANCE granting to the Lincoln & Northwestern Railroad Company the right of way over certain streets and alleys in the city of Lincoln, west of Eighth street and north of R street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1624. § 1. That the right of way for the construction of railroad tracks, side tracks, and switches, is hereby granted to the Lincoln & Northwestern Railroad Company in, over, along, and across, S, T, and U streets, and Third, Fourth, Fifth, Sixth, and Seventh streets, west of Eighth street to Salt creek, and north of R street and Salt creek to the northern limits of the city of Lincoln, and also over and across the alleys in blocks 7, 8, 19, 20, 270, 271, 272, 273, 278, 279, 280, and 281: *Provided, however,* That the Lincoln & Northwestern Railroad Company shall hold the city of Lincoln harmless from all damages arising from said grant.

§ 2. This ordinance shall be enforced and take effect from and after its passage and publication.

Passed February 15, A. D. 1886. Approved February 17, A. D. 1886.

AN ORDINANCE vacating a part of Ninth street and releasing the same to the Missouri Pacific Railway Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1625. WHEREAS, The Mayor and Councilmen of the city of Lincoln passed an ordinance entitled "An ordinance granting certain streets and alleys to the Burlington & Missouri River Railroad Company in Nebraska and to the Missouri Pacific Railway Company," approved on the — day of — 1886; it was, among other things, ordained that there be and there was thereby granted to the Missouri Pacific Railway Company a right of way in and use of certain streets in said city, particularly of a part of Ninth street; and

WHEREAS, It is to the advantage of said city and the people thereof that the right of way and use of said Ninth street so granted to the said company should be largely reduced, and the said company, being desirous of advancing the interests of said city and the wishes of its inhabitants, has agreed to such reduction, upon the condition that a certain part of said street, the use of which it has been agreed that it shall retain, shall be vacated and released to it in fee.

§ 1. In consideration of the release by the Missouri Pacific Railway Company to the city of Lincoln of all its rights derived from the ordinance in the preamble hereof recited in so much of Ninth street as is described as follows: All that part of Ninth street lying north of the north line of S street and east of a line 44 feet east of the west line of said Ninth street, and an eight degree curve connecting said 44-foot line with a line 100 feet south and east of the southeast line of the right of way of the Burlington & Missouri River Railroad Company, the said city of Lincoln and the Mayor and Councilmen thereof have vacated and discharged from all public rights and uses, and released to the said company, and do hereby vacate, discharge and release to the said company all that certain other part of Ninth street in said city, being 44 feet wide and extending from the north line of S street to the right of way of the Burlington &

Missouri River Railroad Company, and being off the west side of said street, the object of this ordinance being to release to and vest in the said company all of the said street last above described in fee.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Passed July 26, 1886. Approved July 27, 1886.

AN ORDINANCE granting right of way to the Missouri Pacific Railway Company on W street from the west side of Tenth street to the east side of Eleventh street.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1626. § 1. That the right of way is hereby granted to the Missouri Pacific Railway Company to build, extend, and operate, its railroad on W street, the south sixty-seven feet, as well as the north thirty-three feet, from the west side of Tenth street to the east side of Eleventh street: *Provided*, Said company, by acceptance of this grant, shall hold the city harmless of all claims and damages arising therefrom on part of adjoining proprietors.

§ 2. This ordinance shall take effect and be in force from and after its approval and publication according to law.

Passed June 7, 1886. Approved June 9, 1886.

AN ORDINANCE granting right of way to the Burlington & Missouri River Railroad Company in Nebraska to build and operate its railroad over and across certain streets in the city of Lincoln.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1627. § 1. That the right of way over Sixth street, commencing at a point near the center of the east line of lot one (1) in block one hundred and fourteen (114) in the city of Lincoln, where a track of the Burlington & Missouri River railroad crosses said lot line, running thence diagonally across Sixth street to a point opposite the southwest corner of block one hundred and four (104), thence north to L street according to the profile hereto attached and made a part of this ordinance, is hereby granted to the Burlington & Missouri River Railroad Company in Nebraska: *Provided*, Said railroad company shall lay but one track upon said street granted by this ordinance, and shall be lia-

ble for all damages sustained by the building and operating said railroad to adjacent property owners.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed March 24, 1886. Approved March 25, 1886.

AN ORDINANCE granting the right of way over Q street between Seventh and Eighth streets, and R street between Seventh and Eighth streets, and the alleys in blocks 31 and 32, in the city of Lincoln, to the Chicago, Burlington & Quincy Railroad Company for railroad purposes.

Be it ordained by the Mayor and Council of the City of Lincoln:

1628. § 1. That there is hereby granted to the Chicago, Burlington & Quincy Railroad Company, for railroad purposes, a right of way over and across Q street, between Seventh and Eighth streets, and R street, between Seventh and Eighth streets, and the alleys in blocks 31 and 32, in the city of Lincoln.

§ 2. That by the acceptance of the privileges hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages or expenses, growing out of the exercise of the right hereby granted, in favor of any person whomsoever.

§ 3. That this permission is hereby granted upon the express condition that in the enjoyment of this privilege the said company shall in all particulars conform in their use of said privilege to the requirements of the city of Lincoln as to grades, paving, ditches, and drainage, and maintain good crossings, and observe all the requirements of the city as to the use and enjoyment of the easement and privilege hereby granted.

§ 4. This ordinance shall take effect and be in force from and after its approval and publication according to law.

Passed June 2, 1887. Approved this 7th day of June, A. D. 1887.

AN ORDINANCE granting the right of way in certain streets of the city of Lincoln to the Fremont, Elkhorn & Missouri Valley Railroad Company and for the vacation of a part of Y street in said city.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1629. § 1. That the right of way is hereby granted to the Fremont, Elkhorn & Missouri Valley Railroad Company across and along that part of Twenty-second and Fair streets and that

part of Holdrege and Seventeenth streets in said city, lying and being within the right of way of said company, obtained by grant from J. J. Imhoff, and by an extension southwest of the limits of the grant through lots 6, 7, 8, 9, 10, and 11, in Teeter's subdivision of the southeast quarter of southwest quarter of section 13, township 10, range 6 east, for the purpose of constructing, maintaining, and operating, its line of railroad thereon.

§ 2. That that part of Y street extending from Fourteenth street on the east to the south line of the Burlington & Missouri River Railroad on the west, be and the same is hereby vacated to the use and benefit of abutting property owners.

§ 3. By the acceptance of the provisions of this ordinance the Fremont, Elkhorn & Missouri Valley Railroad Company hereby agrees to hold the city of Lincoln harmless from any damages growing out of the provisions of this ordinance.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed January 24, A. D. 1887. Approved January 25, A. D. 1887.

AN ORDINANCE.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Neb.:

1630. § 1. That permission is hereby granted to J. A. Buckstaff to extend, build, and maintain, a single railroad track from a point where a railroad track now located on the west side of Eighth street terminates, at the south side of O street, in a due north direction over and across O street, and along the west side of Eighth street, inside the sidewalk limit as now established on the west side of Eighth street, to the south side of the alley, produced, running east and west through block forty-five (45) in the city of Lincoln.

§ 2. *Provided*, That said track shall be made to conform to the requirements of the city of Lincoln as to grades, paving, ditches, and drainage: And *Provided further*, That said O street shall not be obstructed by cars or engines longer than three minutes at any one time.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and due publication according to law.

Passed October 31, 1887.

AN ORDINANCE.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

1632. § 1. That there is hereby granted unto the Chicago, Burlington & Quincy Railroad company the right to build and maintain its railroad over and across the west end of the alley running east and west in block 85, in the city of Lincoln, Nebraska, and running thence east in a southeasterly direction across 8th street in said city so as to connect with the present track of said company upon said 8th street: *Provided*, That said Chicago, Burlington & Quincy Railroad company shall build and maintain a good and sufficient crossing and approaches over said railroad crossing upon 8th street and shall as necessity demands provide and maintain such crossings as may be necessary in said alley: And *Provided further*, That all such track so to be constructed by said railroad shall be built on such grade as will conform to the grade of the streets heretofore or that may hereafter be adopted by the city, and that it shall not unnecessarily obstruct the travel upon said street by its engines or cars to exceed ten minutes at any one time.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed December 15, 1891. Approved December 18, 1891. Published in *Laborer* December 19, 1891.]

AN ORDINANCE to vacate all streets and alleys lying and being within the Eighteenth and R street addition to the city of Lincoln, in the county of Lancaster and state of Nebraska, and granting the right to use and appropriate the same to the Chicago, Rock Island and Pacific Railway Company, its successors and assigns.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1633. § 1. That all streets and alleys lying and being within the Eighteenth and R street addition to the city of Lincoln, Nebraska, be and the same are hereby vacated.

§ 2. That said the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, are hereby given and granted the right to use and occupy those portions of the streets and alleys vacated by this ordinance as said company, its successors and assigns, may desire for railway purposes forever.

§ 3. That said railway company shall provide such proper and necessary sewers and culverts across their tracks and grounds

as may from time to time be required by the said city of Lincoln.

§ 4. This ordinance shall be in force and effect on and after its passage and publication according to law.

[Passed March 9, 1892. Approved March 15, 1892. Published in *Sun* March 17, 1892.]

AN ORDINANCE to vacate Birney street, Melvin street, and Z street, and alleys in blocks 2, 3, 4, and 5, of Kilburn's addition, between Seventeenth and Eighteenth streets, in the city of Lincoln, Nebraska, and appropriate the same to the Chicago, Rock Island and Pacific Railway Company, its successors and assigns.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1634. § 1. That all that part of Birney, Melvin and Z streets, and the alleys in blocks 2, 3, 4, and 5, of Kilburn's addition to the city of Lincoln, being and lying between Seventeenth and Eighteenth streets, be and hereby are vacated.

§ 2. That said the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, are hereby given and granted the right to use and occupy those portions of the streets and alleys vacated by this ordinance, as said company, its successors and assigns, may desire for railway purposes.

§ 3. The said railway company shall provide such proper and necessary sewers and culverts across their tracks and grounds as may from time to time be required by said city of Lincoln.

§ 4. This ordinance shall be in force from and after its passage and publication according to law.

[Passed March 9, 1892. Approved March 15, 1892. Published in *Sun* March 17, 1892.]

AN ORDINANCE granting the right of way to the Chicago, Rock Island and Pacific Railway Company across Vine, Y, and North and 18th streets in the city of Lincoln, Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln:

1635. § 1. That the right of way is hereby granted to the Chicago, Rock Island and Pacific Railway Company to build and operate its railroad across Vine, Grant, Y (sometimes designated Washington street), and North streets, between 17th and 18th streets, and across that part of 18th street intersected by North street: And *Providing*, In crossing said Y street said railway shall pass from its land one side of the street to its land on the other side

of the street from north to south: And *Provided*, That said railway company shall provide and maintain suitable and necessary crossings and approaches over said company's road, where it crosses any of said streets, and shall not obstruct the track thereof by their engines and cars to exceed ten minutes at any time: *Provided further*, That said company shall hold the city of Lincoln harmless from all damages arising from this grant.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed March 29, 1892. Approved March 31, 1892. Published in *Sun* April 1, 1892.]

AN ORDINANCE to vacate part of 20th, 21st, 22d, 25th, 26th, Merrill, Fair, and Potter streets, and part of alleys in blocks 1 and 2, in Deerfield addition to the city of Lincoln, Nebraska, and part of alleys in block 2 in W. J. Marshall's addition to the city of Lincoln, Nebraska, and part of alley in Fairlawn addition in Lincoln, Nebraska, all of which said parts of streets and alleys lie within the right of way of the Chicago, Rock Island and Pacific Railway Company in said city of Lincoln, Nebraska, 100 feet wide as surveyed, and grant said company right of way from 27th street to R street, and to construct and operate its railway thereon.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1636. § 1. That all that part of the following named streets, to-wit: 20th, 21st, 22d, 25th, 26th, Merrill, Fair, and Potter streets, and that part of the alleys in blocks 1 and 2, in Deerfield addition to the city of Lincoln, Nebraska, and that part of alley in block 2 in W. J. Marshall's addition to the city of Lincoln, Nebraska, and part of the alley in Fairlawn addition to the city of Lincoln, Nebraska, which lie within the right of way of the Chicago, Rock Island and Pacific Railway Company, 100 feet wide as surveyed, and which right of way is on the south side of and adjoining the Fremont, Elkhorn & Missouri Valley Railroad right of way from 27th street to west side of 18th street, thence south to R street, all of which said parts of streets and alleys being in the said city of Lincoln, are hereby vacated, granted, and appropriated to the use and benefit of the Chicago, Rock Island and Pacific Railway Company, for the erection and maintenance thereon by said railway company of main tracks, side tracks, and such other improvements as may be placed thereon by said railway company; and to said railway is granted a right of way over lands purchased, or condemned for that purpose, from 27th to west side of 18th street, thence south to R street, and to construct and operate its railway thereon, as surveyed, said right of way being 100 wide: *Provided*, That said railway

company shall construct its railway over its right of way aforesaid within one year from the date hereof: And *Provided further*, That said railway company will make all drainage that may be necessary by reason of the construction of its road and tracks and by closing of said streets and alleys: And *Provided further*, That by the acceptance of the rights and privileges hereby granted, the said railway company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the rights hereby conferred and granted, in favor of any person whomsoever.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 12, 1892. Approved April 16, 1892. Published in *Sun* April 18, 1892.]

AN ORDINANCE granting right of way to the Chicago, Burlington & Quincy Railroad Company for a single track across N street between Third and Fourth streets.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1637. § 1. That the right is hereby granted to the Chicago, Burlington & Quincy Railroad Company to build and maintain a single railroad track across N street, said track to be an extension of the side track of said railroad company as now located on lot two (2), in block seventy-five (75), and to run north across N street on to block forty-eight (48).

§ 2. *Provided*, That said track shall be made to conform to the requirements of the city of Lincoln as to grades, paving, ditches, and drainage.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 3, 1892. Approved May 6, 1892. Published in *Sun* May 9, 1892.]

AN ORDINANCE granting the Chicago, Burlington & Quincy Railroad Company the right to maintain a side track in a part of Seventh street.

Be it ordained by the Mayor and Council of the City of Lincoln:

1638. § 1. That the right is hereby granted the Chicago, Burlington & Quincy Railroad Company to construct and maintain a side track in Seventh street, between the south line of the alley in block eighty-three (83) and the north line of the alley

in block one hundred and four (104), the center line of said track when constructed to be located on a line running parallel to and twenty-seven (27) feet east of the east line of said block eighty-three (83); thence due south across L street to connect by some convenient curve with the present side track of said railroad company opposite said block one hundred and four (104).

§ 2. *Provided*, That said track shall be so constructed and maintained as to conform at all times to the requirements of the city of Lincoln, as to grades, paving, ditches, and drainage.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed May 24, 1892. Approved May 25, 1892. Published in *Sun* May 26, 1892.]

AN ORDINANCE granting the Chicago, Burlington & Quincy Railroad Company the right to maintain a track on the south half of Y street in North Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln:

1639. § 1. That there is hereby granted to the Chicago, Burlington & Quincy Railroad Company the right to build and maintain a single railroad track in the south half of Y street in North Lincoln between the west line of the present right of way of said railroad company and the east line of Tenth street in said city; said track to be laid so as not to interfere with the safe operation of the street railroad track now built in said Y street: *Provided*, That by the acceptance of the privilege hereby granted, the said railroad company agrees to save and keep the said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the right hereby granted, in favor of any person or corporation whatever: And *Provided further*, That said railroad company, in a maintenance of said track, conform at all times to the requirements of the city of Lincoln, as to grades, paving, and drainage.

§ 2. This ordinance shall take effect and be in force from and after its approval and publication according to law.

[Passed May 24, 1892. Approved May 25, 1892. Published in *Sun* May 26, 1892.]

AN ORDINANCE to vacate the alleys and that part of Eighteenth street lying within Salisbury addition to the city of Lincoln, Nebraska, and grant the same to the use and benefit of the Chicago, Rock Island & Pacific Railway Company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

1640. § 1. That all of the alleys, and that part of Eighteenth street lying within the tract out of which was created and platted Salisbury addition, in the city of Lincoln, Nebraska, be and the same are hereby vacated and granted to the use of the Chicago, Rock Island & Pacific Railway Company: *Provided*, That said railway company shall use the same for right of way or other railroad purposes: And *Provided further*, That said railroad company shall make all drainage that may be necessary by reason of the construction of its roads and tracks and other use that may be made of said alleys and part of street: And *Provided further*, That by the acceptance of the rights and privileges hereby granted, the said railway company agrees to save and keep said city of Lincoln harmless from the payment of any costs, damages, and expenses, growing out of the exercise of the rights hereby granted and conferred, in favor of any person whomsoever.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 7, 1892. Approved June 9, 1892. Published in *Sun* June 11, 1892.]

AN ORDINANCE providing for the passage of the railway of the Chicago, Rock Island & Pacific Railway Company across and through the streets and alleys of the city of Lincoln, in the county of Lancaster, and state of Nebraska, and vacating portions of certain streets and alleys in said city for the purpose of giving right of way and other privileges in said city to said railway company.

Be it ordained by the Mayor and Council of the City of Lincoln:

1641. § 1. That the right of way be, and the same is hereby, granted to the Chicago, Rock Island & Pacific Railway Company, its successors and assigns, to construct, operate, and maintain its railway and side tracks, switches and second tracks appurtenant to such lines for railroad purposes, over, through, along and across 19th street, 20th street, 21st street, 22d street, R street, Q street, P street, O street, N street, Monroe avenue, M street, L street, in said city, as the line of railway of said railway company is now located and platted through said city, according to plat of said company, filed herewith and marked exhibit A and made a part hereof, together with the right of way upon, along, over and across all alleys crossed or intersected

by said located line: *Provided, however,* That there shall not be constructed over O street in said city more than two tracks, including the main line of said railway.

§ 2. That said railway company shall construct its railway across the paved streets in said city at grade with the top of its rails on a level with pavement of such streets at said places, so as to afford easy and safe passage by persons and vehicles.

§ 3. That said railway company shall not allow any trains of cars or engines, or other rolling stock, to stop upon O or R street, nor shall said O or R street be obstructed at any one time to exceed four minutes, or any other of the streets which said railway crosses be obstructed at any one time to exceed ten minutes.

§ 4. That said railway company shall, within one year, construct a substantial passenger depot building of brick or stone, or brick and stone, at or near the northwest corner of the intersection of O and 20th streets and north of O street, with railroad tracks connected therewith, and maintain the same, and shall make, pave, and maintain an open passageway at least twenty-five feet wide for the use of the public on the west side and the full length of said block 28 of Kinney's O street addition to Lincoln, Nebraska.

§ 5. That said railway company shall make all drainage that may be necessary by reason of the construction of its railroads and tracks and by the vacation of those portions of said streets and alleys vacated by this ordinance.

§ 6. That said railway company shall constantly keep at its crossings on all paved streets, in said city, gates running parallel with its railroad, with a person in charge to protect all persons and property from injury.

§ 7. That all that part of P street in said city lying south of lots 9, 10, 11, and 12, in block 13, in Kinney's O street addition to said city, be and the same is hereby vacated.

§ 8. That all that part of 20th street in said city lying east and within thirty feet of block 28, in Kinney's O street addition to Lincoln, Neb., be and the same is hereby vacated: *Provided, however,* That said company shall dedicate, pave and keep in repair, as a street, a strip of ground west of its said depot twenty-five feet wide, and through said block 28, in Kinney's O street addition to Lincoln, Nebraska, so as to connect with O street and with P street in said city.

§ 9. That all that part of the alley in block 13, in Kinney's

O street addition to Lincoln, Nebraska, lying south of lots 3 and 4 in said block 13 be and the same is hereby vacated.

§ 10. That all that part of the alley in block 28, in Kinney's O street addition to the said city, lying south of lots 1 and 2, in said block 28, be and the same is hereby vacated.

§ 11. That the alleys between and on lots 3 and 4, in said block 28, are hereby vacated.

§ 12. That said Chicago, Rock Island & Pacific Railway Company, its successors and assigns, be and the said railway company, its successors and assigns, are hereby given and granted the right and privilege of occupying so much of said streets and alleys, vacated by this ordinance, as said railway company, its successors and assigns, may at any time desire for its railroad, switches, side tracks, depots, and other railroad purposes.

§ 13. By the acceptance of the rights and privileges hereby granted, the said railway company shall be taken to agree, and does hereby agree, to save and keep said city of Lincoln harmless from the payment of any damages, growing out of the rights hereby conferred, in favor of any person whomsoever.

§ 14. Said railway company shall not construct more than three tracks, including the main line of said company, across each of the following streets: L, M, N, and Monroe avenue, and not to exceed four tracks, including its main line, across Q and R streets, in said city.

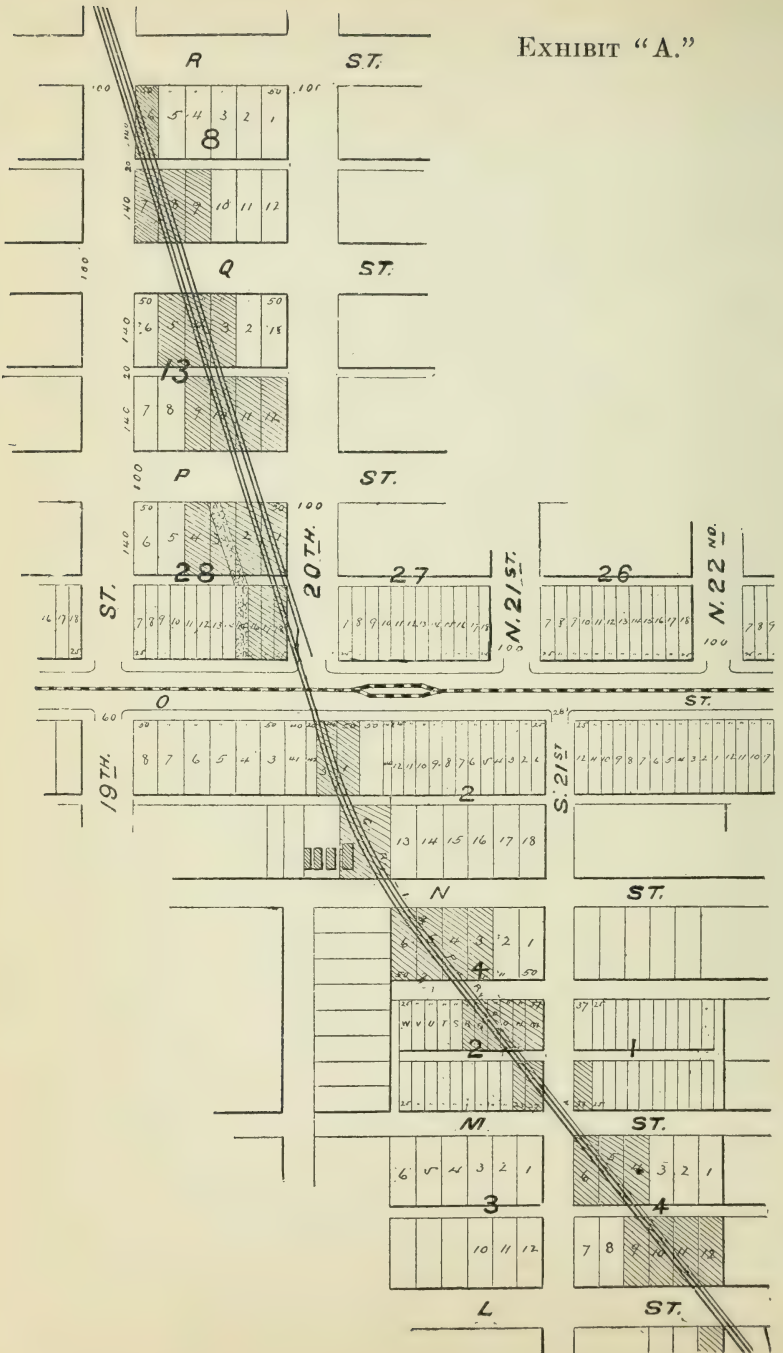
§ 15. Said railroad company shall, within the corporate limits of this city, build and maintain suitable and proper crossings, the full width of the streets, including sidewalk space, over all its tracks, where the same crosses other than paved streets, and shall erect, keep, and maintain an arc light of 2,000 candle-power at its crossings on all the following streets, to-wit: M, N, O, Q, R and Vine streets.

§ 16. Said Chicago, Rock Island & Pacific Railway Company, its successors, and assigns, shall at all times conform and be subject to all reasonable rules, regulations, and ordinances of said city, whether the same are now in force or shall hereafter be made and passed.

§ 17. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 12, 1892. Approved July 13, 1892. Published in *Sun* July 25, 1892.]

EXHIBIT "A."



AN ORDINANCE providing for the passage of the railway of the Chicago, Rock Island and Pacific Railway Company across and through the streets and alleys of the city of Lincoln, county of Lancaster, state of Nebraska, from the south side of L street, near 22d street, in said city, in a southeasterly direction to the southern limits of said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1642. § 1. That the right of way one hundred feet wide be, and the same is hereby, granted to the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, to construct, operate, and maintain its railway, side tracks, switches, and second tracks appurtenant to said line, for railroad purposes, over, through, along, and across the following named streets in the city of Lincoln, Nebraska: J, H, Randolph, E, D, A, Washington, Everett, Garfield, Sumner, South, 22d, 25th, 26th, 27th, Devris, 30th, Melrose avenue, Laurel avenue, Sherman avenue, and Oak streets, said right of way begins at the south line of L street near 22d street and runs thence in a southeasterly direction over premises purchased by said company for right of way, and abutting said streets, avenues, and alleys, at places of passage of said railway on such right of way as the line of said railway is now located, surveyed, and staked through said city, according to the plat of said company, together with the right of way upon, along, over, and across all alleys crossed or intersected by said located line.

§ 2. That said railway company shall make all drainage that may be necessary by reason of the construction of its railroad and tracks.

§ 3. By the acceptance of the rights and privileges hereby granted the said railway company shall be taken to agree, and does hereby agree, to save and keep said city of Lincoln harmless from the payment of any damages, growing out of the rights hereby conferred, in favor of any person whomsoever.

§ 4. Said railway company shall, within the corporate limits of said city, build and maintain suitable and proper crossings over all its tracks where the same cross any streets, and shall keep and maintain an arc light of two thousand candle power at the crossings on the following streets: J, Randolph, and 27th.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 16, 1892. Approved August 17, 1892. Published in *Sun*, August 17, 1892.]

AN ORDINANCE to grant to the Chicago, Rock Island & Pacific Railway Company the right to construct and maintain a viaduct at and near the intersection of North and Eighteenth streets, in the city of Lincoln, Nebraska, with suitable approaches thereto.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska :

1643. § 1. That there is hereby granted the Chicago, Rock Island & Pacific Railway Company the privilege of constructing a wooden viaduct, forty feet wide and ninety feet in length, on North street, in the city of Lincoln, Nebraska, at and near the intersection of Eighteenth street.

§ 2. That such viaduct shall have two driveways, one on each side thereof, for easy and convenient travel thereon of wagons, carriages, and other vehicles, which driveways shall be at least sixteen feet wide, the floor of which shall be raised at least four inches above the carriage way. And said company shall also provide suitable approaches at its own expense, at each end of said viaduct, which shall have a grade not to exceed one foot to twenty feet in length, and be made the full width of said viaduct.

§ 3. That said company shall have said viaduct and suitable approaches thereto ready for public travel within sixty days from the passage of this ordinance. And said company shall have during said time, on and after the passage of this ordinance, the privilege of occupying such parts of streets and alleys in and around the place of said viaduct as may be necessary in placing its materials, timbers and earth, and in constructing said viaduct and approaches.

§ 4. That said the Chicago, Rock Island & Pacific Railway Company is further required to keep constantly in suitable repair said viaduct and approaches thereto for the easy and convenient use of the same by the public as a passage way.

§ 5. That by the granting of the franchises and privileges herein mentioned the said company agrees to keep and hold harmless the city of Lincoln from any and all damages sustained by any person whomsoever, in consequence of the building, construction, and maintenance of said viaduct and the approaches thereto.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 24, 1892. Approved August 26, 1892. Published in *Sun* August 27, 1892.]

AN ORDINANCE granting to the Fremont, Elkhorn & Missouri Valley Railroad Company the right of way for a railroad in a portion of X street in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln:

1644. § 1. That there be, and hereby is, granted unto the Fremont, Elkhorn & Missouri Valley Railroad Company power and authority to lay down, construct, and operate a line of railroad in and along that portion of X street in the city of Lincoln lying between the west line of said city and the east line of 11th street and on the north side of the track of the Missouri Pacific Railway Company as now located in said street, the tracks of the two railroads to be fourteen (14) feet apart from center to center in that part of said street west from a point one hundred and fifty (150) feet west of the west line of 11th street. And said Fremont, Elkhorn & Missouri Valley Railroad Company shall have the further right to lay down and operate side-tracks or switches in said street for local business purposes: *Provided, however,* That said railroad company shall keep the city harmless from any and all damages that may be sustained by reason of the placing and maintaining of said railroad track on said X street.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed November 1, 1892. Approved November 3, 1892. Published in *Journal* November 8, 1892.]

AN ORDINANCE providing for the passage of switch railways of the Chicago, Rock Island and Pacific Railway Company across and through the streets and alleys of the city of Lincoln, county of Lancaster, state of Nebraska, between H and E streets, in said city.

Be it ordained by the Mayor and Council of the City of Lincoln:

1645. § 1. That the right of way be and the same is hereby granted to the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, to construct, operate, and maintain the following switches appurtenant to said line for railroad purposes:

1. A switch track commencing on the right of way of the Chicago, Rock Island and Pacific Railway Company at or near the south line of H street on block fourteen (14) of J. O. Young's East Lincoln addition to the city of Lincoln and across J. O. Young's South addition to Lincoln, and running south across said block fourteen (14) and across Randolph street and to the

alley way running north and south through block three (3) in Houtz Place; thence south over and along said alley way to the alley running east and west in said block three (3).

2. A switch track commencing on the right of way of said company at or near the north line of E street, in said city, at or near lot twenty-five (25) of block one (1), in Houtz Place, running thence in a northerly direction to the alley running east and west through said block one (1), thence across said alley to the alley running north and south through said block one (1), and thence north along and over said alley running north and south to the alley running east and west through the north part of said block one (1).

3. A switch track commencing on the right of way of said company at and near the east line of Twenty-fifth street, on or near lot thirty-three (33) of block two (2) of Houtz Place, running thence in a southeasterly direction to the east line of lot thirty-two (32) in block two (2) of Houtz Place, and running thence east to alley in block two (2) and across the same and across and over lot three (3) of said block two (2) to the west line of Twenty-sixth street, thence running across Twenty-sixth street to the alley way running east and west through the north part of block one (1) in Houtz Place, and thence east from the east line of Twenty-sixth street over and along said alley way last named to the west line of Twenty-seventh street.

§ 2. That said railway company shall make all drainage that may be necessary by reason of the construction of said switches.

§ 3. That by the acceptance of the rights and privileges hereby granted the said railway company agrees to save and keep said city of Lincoln harmless from the payment of any damages growing out of the rights hereby conferred in favor of any person whomsoever.

§ 4. Said railway company shall build and maintain suitable and proper crossings over all its tracks where the same cross any street.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed November 29, 1892. Approved December 16, 1892. Published in *Call* December 16, 1892.]

AN ORDINANCE to allow the Chicago, Rock Island and Pacific Railway Company to put in a connecting track and road-bed connecting said company's track with the track of the Missouri Pacific Railway on X street, and across Eighteenth street, in the city of Lincoln, Nebraska, and vacating Eighteenth street from the north line of Fulton street to the north line of Vine street, Lincoln, Nebraska, and to allow its road to be operated across and over the same.

Be it ordained by the Mayor and Council of the City of Lincoln:

1647. § 1. That the right of way is hereby granted to the Chicago, Rock Island and Pacific Railway Company to build and operate its railroad by connecting with its main line at a point about three hundred (300) feet north of X street, sometimes designated Washington street, and construct its line in a southeasterly direction on a sixteen degree curve, across Eighteenth street and over and across lot five (5), in Antelope addition to the city of Lincoln, through, over, and across part of X street to an intersection with the Missouri Pacific Railway Company's road and track, and operate the same so as to connect with said company's road.

§ 2. That that part of Eighteenth street lying between the north line of Fulton street and the north line of Vine street, in the city of Lincoln, Nebraska, be and the same are hereby vacated, and said company is granted the right of way for the construction thereon of its tracks and railroad: *Provided*, That said railway company shall provide and maintain suitable and necessary crossings and approaches over said company's road where it crosses any of said streets intersected by other streets: And *Provided further*, That by the acceptance of the rights and privileges hereby granted, the said railway company agrees to save and keep said city of Lincoln harmless from the payment of any costs, damages, or expenses, growing out of the exercise of the rights and franchises hereby conferred and granted, in favor of any person whomsoever.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed July 9, 1894. Approved July 11, 1894. Published in *News* July 16, 1894.]

AN ORDINANCE granting to the Omaha and Republican Valley Railway Company and to the receivers heretofore appointed by the circuit court of the United States the right and privilege to erect and maintain a certain bridge across Salt creek at, in, upon, and near the intersection of O and Fourth streets in the city of Lincoln.

Be it ordained by the Mayor and City Council of the City of Lincoln, Nebraska:

1648. § 1. There is hereby granted to the Omaha and Republican Valley Railway Company and to the receivers of the

said railway company heretofore appointed as receivers by the circuit court of the United States for the district of Nebraska, in a certain suit wherein Oliver Ames, second, et al. are complainants, and the Union Pacific Railway Company et al. are defendants, the right and privilege to erect, construct, maintain, and operate a pile bridge over and across Salt creek where the said Salt creek passes in, upon, along, or across O street and Fourth street at, in, upon, or near to the intersection of said O street and Fourth street in the city of Lincoln. That said bridge may be owned, used, occupied, and operated by said the Omaha and Republican Valley Railway Company and its receivers as a part of their railroad premises in the city of Lincoln; and that the same is and shall be the sole property of said railway company and the receivers, and used and occupied as an approach to or an entrance upon the right of way, premises, and property of said the Omaha and Republican Valley Railway Company; and that said the Omaha and Republican Valley Railway Company and its receivers shall be solely charged with the care, custody, and maintenance of such bridge and responsible for any damages caused by reason of the erection thereof to the persons or property using the same. That the Omaha and Republican Valley Railway Company may hereafter, when it shall regard said bridge as no longer necessary for its uses and purposes, remove the same and each and every part thereof.

§ 2. This ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

[Passed July 23, 1894. Approved July 25, 1894. Published in *Call* July 26, 1894.]

ARTICLE XIII.

Sidewalk Districts.

AN ORDINANCE to provide for special certificates to be issued to the sidewalk contractor in payment of the construction of sidewalks by such contractor and prescribing duties of the Street Commissioner, Civil Engineer, Mayor and Council, City Treasurer and Clerk, in relation thereto.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1653. § 1. That the contractor for the construction of sidewalks provided under the charter of the city of Lincoln shall be required to lay or relay all sidewalks as ordered by the Coun-

cil of said city in accordance with the ordinance of said city, and the said contractor shall receive his pay for such work from the assessments against real estate in front of which the said work was done.

§ 2. Such assessments or special taxes against real estate in front of which the said work was done, together with the interest and penalty collected thereon, shall in each case be full compensation to such contractor for any work so done under his said contract along and in front of any property upon which said assessment or tax shall have been levied and collected.

§ 3. The Street Commissioner, or the Assistant Street Commissioner, shall keep a record of all sidewalks ordered built, which shall contain the date the same were ordered, the kind of material, upon what street, and in front of what lot or parcel of ground; also, the name of each owner, as appears of record at the time the assessment is made, of lot or piece of ground, the date of inspection, and all acceptances of the work.

§ 4. All material furnished or work performed under the contract of said contractor in constructing such sidewalks is to be to the satisfaction of the Street Commissioner, and when so done and completed, the sidewalks so constructed or repaired shall be measured and accepted by the Street Commissioner, estimated by the City Engineer of said city, and the acceptances of such work shall be subject to the approval of the Mayor and City Council. Upon approval of the work and the City Engineer's estimates, by the Mayor and City Council, the Mayor and Council shall order the City Clerk of the city of Lincoln to issue to such contractor certificates entitling the contractor to all assessments or special taxes against such real estate whenever such assessments or special taxes shall be collected, together with the interest and penalty collected thereon, each certificate giving a description of the lot or lots or parcel of ground against which the assessments or special taxes are assessed. Such certificate or certificates may be assigned and transferred, entitling the holder, however, only to the same rights as if held by such contractor, and the City Treasurer of said city shall pay over to such contractor or other holder of such certificate or certificates all assessments or special taxes against such real estate, together with the interest and penalty thereon, at any time upon presentation of such certificate or certificates after such assessments or special taxes against such real estate, together with the interest and penalty thereon, shall have been collected.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication.

[Passed August 20, 1891. Approved August 21, 1891. Published in *Laborer* August 22, 1891.]

ARTICLE XIV.

Street Railways.

AN ORDINANCE calling an election to secure the consent of a majority of the electors of the city of Lincoln, Lancaster county, Nebraska, to the construction and operation of a street railroad in and upon the streets of said city by "The Capital City Street Railway Company."

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1655. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877, a special election is hereby called and ordered to be held in the city of Lincoln, on the 15th day of August, A. D. 1883, and the Mayor of said city is hereby requested to properly call and give notice of such election, for the purpose of giving the qualified voters of said city an opportunity to grant or refuse their consent to the "Capital City Street Railway Company" to construct and operate a street railroad with suitable turnouts, connections, and turn-tables, over and across, in and along, the following streets in said city, to-wit: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and Grand avenue; also O, P, Q, R, S, T, U, V, and W, N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets. The said railway to have termini as follows:

One at a point on Seventh street in the city of Lincoln, at the corner of Seventh and Q streets.

One at the corner of Grand avenue and U street.

One at or near the State Capitol.

One at Lincoln Park.

One at the corner of Fourteenth and South streets.

One at the corner of Seventeenth and A streets.

One at the corner of Twentieth and D streets.

One at the corner of Eleventh and South streets.

One at the corner of Eighth and South streets.

One at the corner of Fourteenth and U streets.

One at the corner of Tenth and V streets.

One at the corner of O and First streets.

One at the corner of O and Twenty-seventh streets.

With such connecting and intersecting lines of road as may from time to time be constructed by it.

§ 2. The places of voting shall be the usual voting places in said city, and shall be named in the notice calling such election. The returns thereof shall be made to the City Council. The judges and clerks of election shall be appointed in the same manner as for other city elections.

§ 3. The form in which said question shall be taken shall be as follows:

“Shall consent, right of way, and authority, be given to the ‘Capital City Street Railway Company,’ to construct, maintain, and operate, a street railroad with suitable turnouts, connections, and turn-tables, in the city of Lincoln, over and across, in and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Grand avenue, O, P, Q, R, S, T, U, V, W, N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets? Yes.”

“Shall consent, right of way, and authority, be given to the ‘Capital City Street Railway Company,’ to construct, maintain, and operate, a street railroad with suitable turnouts, connections, and turn-tables, in the city of Lincoln, over and across, in and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Grand avenue, O, P, Q, R, S, T, U, V, W, N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets? No.”

§ 4. If a majority of the electors of the city of Lincoln vote in favor of giving such consent and granting such right of way

and authority, it shall vest such consent, right of way, and authority, in the "Capital City Street Railway Company," to construct, maintain, and operate, such street railroad over and across, in and along said streets: *Provided*, That the franchise hereby granted shall not be deemed to be exclusive: And *Provided*, That said company shall commence the actual construction of said street railroad on or before the 15th day of October, A. D. 1883, and shall fully construct and equip at least two miles of said railroad track on or before October 1, 1884: *Provided further*, That said railway track shall be so constructed and maintained as to present the least practicable obstruction to the ordinary and public use of such streets, and that it shall, when required, conform to the established grade of the streets as now or hereafter to be established when such streets are brought to grade: And *further*, Said railway company shall be subject to all reasonable regulations in the construction and use of said railway, which may be imposed by ordinances.

§ 5. That the center of track of said railway shall be the center of streets (except where turnouts are constructed) over which said railway shall be constructed, and that no turnout or turntable shall be constructed on O street between Tenth and Thirtieth streets.

§ 6. This ordinance shall be in force from and after its passage, approval, and publication, according to law. Passed August 2, 1883. Approved August 2, 1883.

AN ORDINANCE calling an election to secure the consent of the electors of the city of Lincoln, Lancaster county, Nebraska, to the construction and operation of a street railway in and upon the streets of said city by "Lincoln Street Railway Company," and to define the rights and privileges of such railway company.

Be it ordained by the Mayor and Councilmen of the City of Lincoln:

1656. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877, a special election is hereby called and ordered to be held in the city of Lincoln on the 21st day of April, A. D. 1885, and the Mayor of said city is hereby requested to properly call and give notice of such election, for the purpose of giving the qualified voters of said city an opportunity to grant or refuse their consent to "Lincoln Street Railway Company" to construct and operate a street railway with suitable turnouts, connections, and turn-tables,

over and across, in and along, the following streets in said city, to-wit: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and O, P, Q, R, S, T, U, V, and W streets, and N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets, Grand avenue, and University Place.

The said railway to have termini as follows in said city:

One at or near the intersection of Q and Seventh streets.

One at or near the intersection of Grand avenue and University Place.

One at or near the intersection of Fourteenth and South streets.

One at or near the intersection of Seventeenth and A streets.

One at or near the intersection of Twentieth and D streets.

One at or near the intersection of Eleventh and South streets.

One at or near the intersection of Eighth and South streets.

One at or near the intersection of Fourteenth and U streets.

One at or near the intersection of Tenth and V streets.

One at or near the intersection of First and O streets.

One at or near the intersection of Twenty-seventh and O streets.

One at the eastern terminus of R street.

One at the northern terminus of Ninth street.

One at or near the State Capitol.

One at or near Lincoln Park with such connecting and intersecting lines of road as may from time to time be constructed by it.

§ 2. The places of voting shall be the usual voting places in said city, and shall be named in the notice calling such election. The returns thereof shall be made to the City Council.

§ 3. The form in which said question shall be taken shall be as follows:

Shall consent, right of way, and authority, be given to "Lincoln Street Railway Company," to construct, maintain, and operate, a street railway with suitable turnouts, connections, and turn-tables, in the city of Lincoln, over and across, in and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-

second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and O, P, Q, R, S, T, U, V, and W, N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets, Grand avenue, and University Place? Yes.

Shall consent, right of way, and authority, be given to "Lincoln Street Railway Company," to construct, maintain, and operate, a street railway with suitable turnouts, connections, and turn-tables, in the city of Lincoln, over and across, in and along, the following streets of said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and O, P, Q, R, S, T, U, V, and W, N, M, L, K, J, H, G, F, E, D, C, B, A, Washington, Wood, Pine, Rose, Peach, Plum, and South streets, Grand avenue, and University Place? No.

§ 4. If a majority of the electors of the city of Lincoln voting at such election vote in favor of giving such consent and granting such right of way and authority, it shall vest such consent, right of way, and authority, in "Lincoln Street Railway Company" to construct, maintain, and operate such street railway over and across, in and along, said streets: *Provided*, That the franchise so granted shall not be deemed to be exclusive. And *Provided*, That said company shall commence actual construction of said street railway on or before the 15th day of July, A. D. 1885, and shall fully construct and equip at least one mile of said railway track on before December 15, 1885: *Provided*, That the powers and franchise granted said company shall expire in ninety-nine years from the first day of November, A. D. 1885:

Provided further, That said railway track shall be so constructed and maintained as to present the least practicable obstruction to the ordinary and public use of such streets, and that it shall, when required, conform to the established grade of the streets as now or hereafter to be established when such streets are brought to grade. And further, said railway company shall be subject to all reasonable regulations in the construction and use of said railway which may be imposed by ordinances.

§ 5. That the center of the track of said railway shall as nearly as practicable be constructed in the center of the streets over which said railway shall be constructed: *Provided*, That when

the center of the street is occupied by the track of any other street railway company, then "Lincoln Street Railway Company" shall be permitted to build their track adjacent to that of the track so occupying the center of the street. No turnout shall be constructed on O street between Eighth and Thirteenth streets, or on Eleventh street between Q and M streets.

§ 6. This ordinance shall be in force from and after its passage, approval, and publication according to law.

Approved March 10, 1885.

AN ORDINANCE calling an election to secure the consent of the electors of the city of Lincoln to the construction of a railroad in and upon the streets of said city by the Lincoln Rapid Transit Company.

Be it ordained by the Mayor and Council of the City of Lincoln:

1657. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877,² a special election is hereby called and ordered to be held in the city of Lincoln, on the fifth day of April, A. D. 1887, and the Mayor of said city is hereby requested to properly call and give notice of such election for the purpose of giving the qualified voters of said city an opportunity to grant or refuse their consent to the Lincoln Rapid Transit Company to construct, own, maintain, and operate a street and suburban railroad, with suitable turnouts, turn-tables, motors, apparatus, and appliances, over, across, in and along, the following streets in said city, to-wit: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, or Grand avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard street, Twenty-second, Twenty-third or East avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine street, W, X, and Y or Washington, North or Holdrege street, Potter street, Fair street, and Fitzgerald avenue.

The said termini of said railway are fixed as follows: At the several railway depots in said city, at or near the intersection of Eleventh and N streets, at or near the intersection of Twelfth and N streets, West Lincoln, the Nebraska exposition grounds,

a point near the Nebraska Wesleyan University place, Wyuka cemetery, the penitentiary, the hospital for the insane, with such connecting and intersecting lines as may from time to time be by it constructed to such other points in the vicinity of Lincoln as may be deemed advisable to select for termini of said lines.

§ 2. The places of voting shall be at the usual voting places in said city, and shall be named in the notice calling such election; the returns of such election shall be made to the City Council, and the judges and clerks appointed in the same manner as for other city elections.

§ 3. The form of the ballots at such election shall be as follows: Shall consent, right of way, and authority, be given to the Lincoln Rapid Transit Company, to construct, own, maintain, and operate, a street and suburban railway with suitable turn-outs, turn-tables, motors, apparatus, and appliances, in the city of Lincoln, over, across, and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth or Grand avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard avenue, Twenty-second, Twenty-third or East avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, South, Plum, Peach, Pine, Rose, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine street, W, X, Y or Washington, North or Holdrege, Potter street, Fair street, Fitzgerald avenue? Yes.

Shall consent, right of way, and authority, be given to the Lincoln Rapid Transit Company to construct, own, maintain, and operate, a street and suburban railroad, with suitable turn-outs, turn-tables, motors, apparatus, and appliances, in the city of Lincoln, over, across, and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth or Grand avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard street, Twenty-second, Twenty-third or East avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O,

P, Q, R, S, T, U, V or Vine, W, X, Y or Washington street, North or Holdrege street, Potter street, Fair street, Fitzgerald avenue? No.

§ 4. If a majority of the electors of the city of Lincoln, voting at such election, vote in favor of granting such consent, authority, and right of way, it shall vest such consent, authority, and right of way, in the Lincoln Rapid Transit Company to construct, own, maintain, and operate, a street and suburban railroad over, across, and along, said streets: *Provided*, That the franchise hereby granted shall not be deemed to be exclusive, and that said company shall commence the actual construction of said railroad on or before the first day of July, A. D. 1887, and shall fully construct and equip at least one mile of said railroad track on or before November 1, 1887, or in default thereof the franchise hereby and by such election granted shall lapse: *Provided further*, That such railway track shall be so constructed and maintained as to present and cause the least practicable obstruction to the ordinary public and general use of such streets, and that it shall, when required, conform to the established grade of the streets as the same now are or hereafter may be established when such streets are brought to grade; and the said Lincoln Rapid Transit Company shall be subject to all reasonable regulations in construction and use of said railway which may be imposed by ordinances: *Provided*, All expenses of such election shall be paid by the Rapid Transit Company, and that said company shall issue free transportation to all city officers on written request of the Mayor.

§ 5. The center of the track of said railway shall as nearly as practicable be constructed in the center of the streets over which said railway shall be constructed, except where the center of the street is occupied by the track of any other railway company, then the Lincoln Rapid Transit Company shall be permitted to build their track adjacent to that of the track so occupying the center of the street. No turnout shall be constructed on O street between Eighth and Thirteenth streets, nor on Eleventh street between Q and M streets.

§ 6. This ordinance shall be in force from and after its passage, approval, and publication according to law.

Approved March 22, A. D. 1887.

AN ORDINANCE calling an election to secure the consent of a majority of the electors of the city of Lincoln, Lancaster county, Nebraska, to the construction and operation of a street railroad in and upon the streets of said city, by "The Capitol Heights Street Railway Company," of Lincoln, Nebraska.

Be it ordained by the Mayor and Council of the City of Lincoln:

1660. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877, a special election is hereby called and ordered to be held in the city of Lincoln, on the 25th day of June, A. D. 1887, and the Mayor of said city is hereby requested to properly call and give notice of such election, for the purpose of giving the qualified voters of such city an opportunity to grant or refuse their consent to the "Capitol Heights Street Railway Company," to construct and operate a street railroad, with suitable turnouts, connections, and turn-tables, over and across, in and along, the following streets in said city, to-wit: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth north of A street, Tenth, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Grand avenue, Willard street, East avenue, Front street, South, Plum, Peach, Pine, Rose, Wood, Washington, Van Dorn, Mango, Saratoga, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Vine, Washington avenue, North, Holdrege, Potter, Fair, and Randolph streets, Fitzgerald avenue, Garfield, Sumner, and Holmes streets. The said railway shall have termini as follows:

At or near the several railway depots in said city of Lincoln, as the company may direct, with such connecting and intersecting lines of road as may from time to time be constructed, and for such purpose to construct such lines of street railway over and across, on and along, any or all the aforementioned streets in said city of Lincoln, Neb., and each and every other street that is now or may hereinafter be incorporated in the city of Lincoln, and said street railway to intersect Randolph street not farther east than Twenty-seventh street, thence running east on said Randolph street to southwest corner of the northwest quarter ($\frac{1}{4}$) of section twenty-nine (29), in township ten (10) north, of range seven (7) east, of the sixth principal meridian, in Lan-

caster county, Nebraska, and to have the following further termini at such other points, within five miles of the corporate limits of said city of Lincoln, as the company may desire to build to.

§ 2. The places of voting shall be the usual voting places in said city, and shall be named in the notice calling such election. The returns thereof shall be made to the City Council. The judges and clerks of election shall be appointed in the same manner as for city elections.

§ 3. The form in which said question shall be taken shall be as follows: Shall consent, right of way, and authority, be given to the "Capitol Heights Street Railway Company," to construct, own, maintain, and operate, a street and suburban railroad, with suitable turnouts, turn-tables, apparatus, and appliances, in the city of Lincoln, over, across, and along, the following streets of said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Grand avenue, Willard street, East avenue, Front street, South, Plum, Peach, Pine, Rose, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine, W, X, Y or Washington, North or Holdrege, Potter street, Fair street, Fitzgerald avenue, Van Dorn, Mango, Saratoga, Randolph, Garfield, Sumner, Holmes street? Yes.

Shall consent, right of way, and authority, be given to the "Capitol Heights Railway Company," to construct, own, maintain, and operate, a street and suburban railroad, with suitable turnouts, turn-tables, apparatus, and appliances, in the city of Lincoln, over, across, and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Grand avenue, Willard street, East avenue, Front street, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine, W, X, Y

or Washington, North or Holdrege street, Potter street, Fair street, Fitzgerald avenue, Van Dorn, Mango, Randolph, Garfield, Sumner, Holmes street? No.

§ 4. If a majority of the electors of the city of Lincoln vote in favor of giving such consent granting such right of way and authority, it shall vest such consent, right of way, and authority, in the "Capitol Heights Street Railway Company," to construct, maintain, and operate, such street railroad over and across, in and along, said streets: *Provided*, That said company shall commence the actual construction of said street railroad on or before the first day of August, A. D. 1887, and shall fully construct and fully equip at least one mile of said railroad track on or before July 1, 1888: *Provided further*, That said railway track shall be so constructed and maintained as to present the least practicable obstruction to the ordinary and public use of such streets, and that it shall, when required, conform to the established grade of the streets as now or hereafter to be established when such streets are brought to grade. And further, said railway company shall be subject to all reasonable regulations in the construction and use of said railway which may be imposed by ordinances.

§ 5. That the center of track of said railway shall be the center of streets, (except where turnouts are constructed,) over which said railway shall be constructed, and that no turnout or turntable shall be constructed on O street between Tenth and Thirteenth streets.

§ 6. This ordinance shall be in force from and after its passage, approval, and publication according to law.

Approved this 31st day of May, A. D. 1887.

AN ORDINANCE calling an election to secure the consent of the electors of the city of Lincoln to the construction of a railroad in and upon the streets of said city by the Standard Street Railroad Company.

Be it ordained by the Mayor and Council of the City of Lincoln:

1662. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877, a special election is hereby called and ordered to be held in the city of Lincoln on the 25th day of June, A. D. 1887, and the Mayor of said city is hereby requested to properly call and give notice of such election for the purpose of giving the qualified voters of

said city an opportunity to grant or refuse their consent to the Standard Street Railway Company to construct, own, maintain, and operate, a street and suburban railroad, with suitable turn-outs, turn-tables, motors, apparatus, and appliances, in accordance with its articles of incorporation, over, across, in, and along the following streets in said city, to-wit: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth or Grand Avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard street, Twenty-second, Twenty-third or East Avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y or Washington, North or Holdrege street, Potter street, Fair street, and Fitzgerald avenue.

The termini of said lines are fixed at or near the several railway depots in the city of Lincoln, at or near the hospital for the insane, and such other points in the city of Lincoln and vicinity as it may be deemed advisable to select.

§ 2. The places of voting shall be the usual voting places in said city, and shall be named in the notice calling such election; the returns of such election shall be made to the City Council, and the judges and clerks appointed in the same manner as for other city elections.

§ 3. The form of the ballot at such election shall be as follows: Shall consent, right of way, and authority be given to the Standard Street Railway Company to construct, own, maintain, and operate, in accordance with its articles of incorporation, a street and suburban railroad, with suitable turnouts, turn-tables, motors, apparatus, and appliances, over, across, and along the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Thirteenth, Fourteenth, Fifteenth, Sixteenth or Grand Avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard street, Twenty-second, Twenty-third or East Avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth, South, Plum, Peach, Pine, Rose, Wood, Washington, A, B, C, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine, W, X, Y or Washington, North or

Holdrege street, Potter street, Fair street, Fitzgerald avenue?
Yes.

Shall consent, right of way, and authority be given to the Standard Street Railway Company to construct, own, operate, and maintain, in accordance with its articles of incorporation, a street and suburban railroad, with suitable turnouts, turn-tables, motors, apparatus, and appliances, in the city of Lincoln, over, across, and along, the following streets in said city, viz.: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth or Grand avenue, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Willard street, Twenty-second, Twenty-third or East avenue, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh or Front street, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth, South, Plum, Peach, Pine, Rose, Wood, Washington, A, B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V, or Vine, W, X, Y or Washington street, North or Holdrege street, Potter street, Fair street, Fitzgerald avenue? No.

§ 4. If a majority of the electors of the city of Lincoln voting at such election vote in favor of granting such consent, authority, and right of way, in the Standard Street Railway Company to construct, own, maintain, and operate, in accordance with its articles of incorporation, a street and suburban railroad, with suitable turnouts, turn-tables, motors, and apparatus and appliances, over, across, and along said streets: *Provided*, That the franchise hereby granted shall not be deemed to be exclusive, and that said company shall commence the actual construction of said railroad on or before the first day of October, A. D. 1887, and shall fully construct and equip at least one mile of said railroad track on or before the first day of December, A. D. 1887, or in default thereof, the franchise by such election granted shall lapse: *Provided further*, That such railway track shall be so constructed and maintained as to present and cause the least practicable obstruction to the ordinary public and general use of such streets; and that it shall, when required, conform to the established grade of the streets, as the same are or may hereafter be established when such streets are brought to grade, and that said Standard Street Railway Company shall be subject to all reasonable regulations in the construction and use of said railway which may be imposed by ordinances, provided all expenses of such election shall be paid by said railway company.

§ 5. The center of the track of said railway shall as nearly as practicable be constructed in the center of the streets over which said railway shall be constructed, except where the center of the street is occupied by the track of any other railway company, then the Standard Street Railway Company shall be permitted to build adjacent to that of the track so occupying the center of the street. No turnout shall be constructed on O street between Eighth and Thirteenth streets, nor on Eleventh street between Q and M streets.

§ 6. *Provided, however,* That all tracks laid between South and W streets, and between First and Twenty-seventh streets, shall be laid of chair rails: *Provided, also,* That said tracks shall not be laid on any street where two tracks are already laid, running parallel, and no track shall be laid on O street from Eighth to Twenty-seventh streets.

§ 7. This ordinance shall be in force and effect from and after its passage, approval, and publication, according to law.

Approved this 13th day of June, A. D. 1887.

AN ORDINANCE calling an election to secure the consent of a majority of the electors of the city of Lincoln, Lancaster county, Nebraska, to the construction and operation of a street railroad in and upon the streets of said city, by the Lincoln Electric Railway Company.

Be it ordained by the Mayor and Council of the City of Lincoln:

1664. § 1. That under the provisions of an act entitled "An act to provide for the incorporation of street railway companies within the cities of this state," approved February 15, 1877, a special election is hereby called and ordered to be held in the city of Lincoln on the 1st day of April, A. D. 1890, and the Mayor of said city is hereby requested to properly call and give notice of such election, for the purpose of giving the qualified voters of said city an opportunity to grant or refuse their consent to the Lincoln Electric Railway Company to construct and operate a street railroad and to generate and rent power and light with suitable poles, wires, turnouts, connections, and turn-tables over and across, in and along the following streets in said city, to-wit: 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th north of M street, 12th, 13th, 14th, 15th, and 16th, or Grand avenue, except between the north side of R street and south side of Vine, 17th, 18th, 19th, 20th, 21st, or Willard avenue, 22d, 23d, or East avenue, 24th, 25th, 26th, 27th or Front street, 28th, 29th, 30th, 31st, 32d, 33d, South, Plum, Peach, Rose, Pine, Wood, Wash-

ington, A, B, C, and D west of 9th, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine street, W, X, Y or Washington, North or Holdrege street, Potter street, Fair street, and Fitzgerald avenue, and such other streets as may be necessary, excepting such streets as are herein reserved. The termini of the lines of such company in the city of Lincoln are fixed at the several railroad depots, at or near the intersection of 9th and O streets, at or near the intersection of 11th and O streets, West Lincoln, Nebraska Exposition Association grounds, a point near University Place, Bethany Heights, Wyuka Cemetery, the State Penitentiary, Hospital for the Insane, Stockwell, Cushman Park, and such other points in the vicinity of Lincoln as it may be deemed advisable to select for termination of lines, with such connection and intersecting lines of road as may from time to time be constructed by it.

§ 2. The places of voting shall be the usual voting places in said city, and shall be named in the notice calling such election. The polls shall continue open from 9 A. M. until 7 P. M. The returns thereof shall be made to the City Council. The judges and clerks of election shall be the same as for the general city election.

§ 3. The form in which said question shall be taken shall be as follows:

"Shall consent, right of way, and authority be given to the Lincoln Electric Railway Company to construct, maintain, and operate an electric street railroad, and to generate and rent power and light with suitable poles, wires, turnouts, connections, and turn-tables in the city of Lincoln, over and across, in and along the following streets in said city, viz.: 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th north of the south side of J, 12th, 13th, 14th, 15th, and 16th or Grand avenue, except between the north side of R and south side of Vine, 17th, 18th, 19th, 20th, 21st or Willard avenue, 22d, 23d or East avenue, 24th, 25th, 26th, 27th or Front street, 28th, 29th, 30th, 31st, 32d, 33d, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, and D west of 9th, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine street, W, X, Y or Washington, North or Holdrege street, Potter street, Fair street, and Fitzgerald avenue, and such other streets as may be necessary, excepting such streets as are herein reserved? Yes."

"Shall consent, right of way, and authority be given to the Lincoln Electric Railway Company to construct, maintain, and

operate an electric street railroad, and to generate and rent power and light with suitable poles, wires, turnouts, connections, and turn-tables in said city of Lincoln, over and across, in and along the following streets in said city, viz.: 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th north of the south side of J, 12th, 13th, 14th, 15th, and 16th or Grand avenue, except between the north side of R and south side of Vine, 17th, 18th, 19th, 20th, 21st or Willard avenue, 22d, 23d or East avenue, 24th, 25th, 26th, and 27th or Front street, 28th, 29th, 30th, 31st, 32d, 33d, South, Plum, Peach, Rose, Pine, Wood, Washington, A, B, C, and D west of Ninth, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V or Vine street, W, X, Y or Washington, North or Holdrege street, Potter street, Thayer and Fitzgerald avenue, and such other streets as may be necessary? No."

§ 4. If a majority of the electors of the city of Lincoln vote in favor of giving such consent and granting such right of way and authority, it shall vest such consent, right of way, and authority in the Lincoln Electric Street Railway Company to generate and rent power and light, and to construct, maintain, and operate such street railway over and across, in and along said streets: *Provided*, That the franchise hereby granted shall not be deemed to be exclusive: And *Provided further*, That not more than two tracks shall be laid parallel on any one street, and that said railway tracks shall be so constructed and maintained as to prevent the least practicable obstruction to the ordinary and public use of said streets, and that it shall when required conform to the established grade of the streets as now or hereafter to be established when such streets are brought to grade, and further, said railway company shall be subject to all regulations in the construction and use of said railway which may be imposed by ordinance: *Provided, also*, That if said company fail to construct and put in operation at least two miles of track within two years from the date of the franchise, the said franchise shall be forfeited.

§ 5. That the center of the track of said railway shall be the center of the street (except where turnouts are constructed) over which said railway shall be constructed.

§ 6. This ordinance shall be in force from and after its passage, approval, and publication according to law.

Approved March 11, 1890.

AN ORDINANCE granting right of way to the North Lincoln Street Railway Company, and providing for the protection of the property thereof in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska :

1666. § 1. That the North Lincoln Street Railway Company and its successors and assigns be and are hereby granted right of way for the erection and maintenance of poles and wires, with all the appurtenances thereto, for the purpose of transmitting electrical power with which to propel street cars with what is known as the overhead system upon, over, and along the streets of the city of Lincoln, under the supervision and direction of the Council.

§ 2. The North Lincoln Street Railway Company is hereby granted the right to erect and maintain poles and wires over and along the streets and alleys of the city of Lincoln, as aforesaid, for the purpose of furnishing and renting power to drive electric motors for others: *Provided, first*, That such poles and wires shall be erected so as not to interfere with the ordinary travel through such streets and alleys, and that said poles and wires shall be temporarily removed whenever necessary to allow the grading of a street or alley.

§ 3. Any person who shall interfere with, cut, injure, remove, break, destroy, deface, or post bills upon any of the poles, wires, fixtures, or other property of the North Lincoln Street Railway Company, within the corporate limits of the city of Lincoln, shall be fined in any sum not exceeding fifty dollars nor less than ten dollars.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed June 16, 1890. Approved June 19, 1890.]

AN ORDINANCE granting to the Lincoln Street Railway Company the right to generate and use electric light, heat, and power for propelling its cars and lighting the same and lighting its buildings and stations, erect poles, wires, and power stations, to make all necessary connections, and to operate and light its cars by electricity.

Be it ordained by the Mayor and Council of the City of Lincoln :

1667. § 1. That the Lincoln Street Railway Company, its successors and assigns, be and is hereby authorized to generate and use electric heat, light, and power for propelling its cars and lighting the same and lighting its buildings and stations, and to erect and maintain all necessary poles or ducts, wires or conductors, and

make all necessary connections for all purposes by means of well-insulated mains and auxiliary feeders from the power station or stations to the necessary points on its line of railroad, and to operate the cars on all lines now owned or controlled or to be hereafter acquired, leased, or controlled by said company, by means of electric energy conveyed by overhead conductors or by means of any other improved electric system now or hereafter invented or devised: *Provided*, That said company shall begin on the work of putting in this system within six months from this date.

§ 2. All poles erected in the business or thickly settled portions of the city shall be hexagonal or octagonal in shape, well finished, and painted; those in outlying districts to be smooth, well finished, and painted, and wherever a double track is now or may hereafter be constructed, said Lincoln Street Railway Company shall erect a single line of iron poles in the space between said tracks, where ordered by the Mayor and City Council, for the purpose of carrying its wires, but no such poles shall be set within ten feet of any intersection.

§ 3. The said Lincoln Street Railway Company may also construct, erect, and maintain one or more power station buildings, and place therein, boilers, engines, pumps, dynamos, and all necessary machinery for the purpose of generating electric power and light for the propulsion and lighting of its cars and buildings on all lines now or which may hereafter be owned, leased, or operated by said company.

§ 4. The cars shall be of the latest pattern, provided with suitable guards or fenders, and at night a headlight shall be affixed to the front dash or roof, and they shall be in charge of a motorman and a conductor, and shall not be propelled at a dangerous rate of speed.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 15, 1890. Approved October 17, 1890.]

AN ORDINANCE granting to the Standard Street Railway Company the right to generate and use electric light, heat, and power for propelling its cars and lighting the same and lighting its buildings and stations, erect poles, wires, and power stations, to make all necessary connections, and to operate and light its cars by electricity.

Be it ordained by the Mayor and Council of the City of Lincoln:

1668. § 1. That the Standard Street Railway Company, its successors and assigns, be and is hereby authorized to generate

and use electric heat, light, and power for propelling its cars and lighting the same and lighting its buildings and stations, and to erect and maintain all necessary poles or ducts, wires, and conductors, and make all necessary connections for all purposes, by means of well-insulated main and auxiliary feeders from the power station or stations to the necessary points on its lines of railroad, and to operate the cars on all lines now owned or controlled or to be hereafter acquired, leased, or controlled by said company, by means of electric energy conveyed by overhead conductors or by means of any other improved electric system now or hereafter invented or devised: *Provided*, That said company shall begin on the work of putting in this system within six months from this date.

§ 2. All poles erected in the business or thickly settled portions of the city shall be hexagonal or octagonal in shape, well finished and painted; those in outlying districts to be smooth, well finished, and painted, and wherever a double track is now or may hereafter be constructed, said Standard Street Railway Company shall erect a single line of iron poles in the space between said tracks, where ordered by the Mayor and City Council, for the purpose of carrying its wires, but no such poles shall be set within ten feet of any intersection.

§ 3. The said Standard Street Railway Company may also construct, erect, and maintain one or more power station buildings, and place therein boilers, engines, pumps, dynamos, and all necessary machinery for the purpose of generating electric power and light for the propulsion and lighting of its cars and buildings on all lines now or which may hereafter be owned, leased, or operated by said company.

§ 4. The cars shall be of the latest pattern, provided with suitable guards or fenders, and at night a headlight shall be affixed to the front dash or roof, and they shall be in charge of a motorman and a conductor, and shall not be propelled at a dangerous rate of speed.

§ 5. This ordinance shall take effect and be in force from and after its approval, passage, and publication according to law.

[Passed October 27, 1890. Approved October 28, 1890.]

AN ORDINANCE granting to the Capital Heights Street Railway Company permission to erect, use, and maintain poles and wires and generating stations for the purpose of generating electric light and power.

Be it ordained by the Mayor and City Council of Lincoln, Nebraska:

1669. *First*—That the Capital Heights Street Railway Company, its successors and assigns, be and is hereby authorized to establish, construct, maintain, and operate within the corporate limits of the city of Lincoln the necessary buildings and power stations, with all necessary machinery, for the purpose of generating and using electricity for illuminating and power purposes, and to erect and maintain within said city and upon the streets thereof poles and wires for the purpose of conveying electricity to be used in propelling and lighting street cars by what is known as the overhead system, all poles to be set under the supervision of the City Engineer and in accordance with the city ordinance.

This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed December 8, 1890. Approved December 9, 1890.]

AN ORDINANCE granting to the Lincoln City Electric Railway Company, its successors and assigns, the right to erect, maintain, and operate in the streets and alleys, and public grounds of the city of Lincoln, posts, poles, wires, and other structures and appliances necessary or proper for conducting electricity for power purposes.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1670. §. That there is hereby granted to the Lincoln City Electric Railway Company, its successors and assigns, the right and authority to erect, maintain, and operate on and in all the streets, alleys, and public grounds within the corporate limits of the city of Lincoln, as said limits are now or may hereafter be prescribed, posts, poles, wires, and other structures and appliances necessary or proper for conducting electricity for power purposes.

§ 2. Such posts, poles, wires, and other structures and appliances shall be so placed, erected, and maintained as to offer the least obstruction to the ordinary use of said streets, alleys, and public grounds for travel, as provided by ordinance.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 27, 1891. Approved April 30, 1891.]

AN ORDINANCE granting to the Lincoln City Electric Railway Company, its successors or assigns, the right to erect, maintain, and operate in the streets and alleys, and public grounds of the city of Lincoln, posts, poles, wires, and other structures and appliances necessary or proper for conducting electricity for lighting and illuminating purposes.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1671. § 1. That there is hereby granted to the Lincoln City Electric Railway, its successors and assigns, the right and authority to erect, maintain, and operate on and in all the streets, alleys, and public grounds within the corporate limits of the city of Lincoln, as said limits are now or may be hereafter prescribed, posts, poles, wires, and other structures and appliances necessary or proper for conducting electricity for lighting and illuminating purposes.

§ 2. Such posts, poles, wires, and other structures and appliances shall be so placed, erected, and maintained as to offer the least obstruction to the ordinary use of said streets, alleys, and public grounds for travel, as provided by ordinance.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed April 27, 1891. Approved April 30, 1891.]

AN ORDINANCE to amend sections 2 and 4 of an ordinance entitled "An ordinance granting to the Lincoln Street Railway Company the right to generate and use electric light, heat, and power for propelling its cars and lighting the same and lighting its buildings and stations, erect poles, wires, and power stations, to make all necessary connections, and to operate and light its cars by electricity."

Be it ordained by the Mayor and Council of the City of Lincoln:

1672. § 1. That section 2 of an ordinance entitled "An ordinance granting to the Lincoln Street Railway Company the right to generate and use electric light, heat, and power for propelling its cars and lighting the same and lighting its buildings and stations, erect poles, wires, and power stations, to make all necessary connections, and to operate and light its cars by electricity," be amended so as to read as follows: "All poles erected for the purpose of carrying wires shall be of wood and round in shape, well finished and painted. Hereafter no poles shall be erected or maintained in the space between the tracks where a double track is now or hereafter may be constructed, but all poles shall be set one foot inside of the curb line as at that time located by the City Engineer."

§ 2. That section 4 of said ordinance be so amended to read as follows: "The cars shall be of the latest pattern, provided with suitable guards or fenders, and at night a headlight shall be fixed to the front dash or roof, and all cars operated on the lines commonly and usually designated as the Ninth and West A street lines, the Twelfth street line, the R street and Bethany Heights line, the P, Sixteenth, and Vine street line, the West Lincoln line north of the Burlington & Missouri railroad tracks, and the Wyuka Cemetery line east of the intersection of Twenty-seventh and O streets shall be in charge of a conductor or motorman; and all cars operated on all other lines shall be in charge of two men, a conductor and motorman, as follows: On all north and south lines the cars shall be in charge of a conductor and motorman as far south as the point where such line intersects A street and on O street, West Lincoln line from O street to the crossing of the B. & M. R. R., from Seventh to Twenty-seventh streets, and on Twenty-seventh street, and such cars shall not be propelled at a dangerous rate of speed. The motorman or conductor, as the case may be, in charge of said cars shall at all times be prepared to make change to an amount not exceeding two dollars."

§ 3. Sections 2 and 4 of said ordinance as heretofore existing are hereby repealed.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed August 2, 1892. Approved August 9, 1892.]

AN ORDINANCE authorizing the Lincoln and Salt Lake Railway Company to construct its railway over and across the viaduct to be constructed on O street from about 3d street to the east side of 8th street, and to regulate the use thereof and the compensation therefor.

1673. WHEREAS, The Lincoln and Salt Lake Railway Company has constructed and is operating a line of railway from Burlington Beach, on said Salt Lake, to and by authority of the City Council, upon and over Q and 3d streets to O street in the city of Lincoln; and

WHEREAS, The city of Lincoln is about to construct or cause to be constructed a viaduct upon O street from about 3d street, the present terminus of said company's line of road, to 8th street, over the railway tracks of the Chicago, Burlington & Quincy Railroad Company and the Omaha & Republican Valley Railway Company; and

WHEREAS, For the accommodation of the people who wish to visit the said lake, and for the successful operation of said railway, it is necessary that said company should have some reasonable facilities for getting into the city at such place as to be reasonably convenient for the people to reach said road, and that there is no way of accomplishing that purpose except by way of the viaduct as in this ordinance provided; therefore,

Be it ordained by the Mayor and Council of the City of Lincoln:

§ 1. That the Lincoln & Salt Lake Railway Company be and the same is hereby authorized to construct, operate, and maintain a double track street railway upon and over the viaduct to be constructed on O street from about 3d street to the east side of 8th street in said city, together with a reasonable and convenient landing place in O street east of the east approach of said viaduct, with the right to locate wires for the proper operation thereof by electricity, under and in pursuance of the conditions of this ordinance and subject to the reasonable regulations of the City Council hereafter: *Provided*, That this ordinance shall not be construed as granting an exclusive franchise, but any and all lines shall use the tracks over said viaduct jointly by each bearing their share of the expense of same.

§ 2. Before the said company shall commence the construction of any part of said road upon said viaduct, it shall notify the Council thereof and pay the city the cost of the pavement between the rails of its tracks upon said viaduct, and enter into an agreement to keep at its own expense that part of the paving between the rails of its said tracks in good repair, and to repave the same from time to time as the same may become necessary; and in repairing said paving and repaving such materials shall be used as the City Council may direct.

§ 3. Under the provisions of this ordinance the said company shall have the right, if it so elects, to construct its tracks at the same time and with the construction of the said viaduct, but it shall not interfere in any way with the construction thereof, any more than may be necessary for the construction of its said railway, and shall in no event cause any delay in the construction of the viaduct.

§ 4. In the operation of said road the same shall be done at the least possible inconvenience to the public, and can only be operated by electric power, except by special permission of the Mayor and City Council; but in no event can the cars thereon

be propelled by steam power. The rate of speed on said viaduct shall never exceed four (4) miles an hour.

§ 5. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed January 10, 1893. Approved January 17, 1893. Published in *News* January 19, 1893.]

ARTICLE XV.

Telephone and Telegraphs.

AN ORDINANCE granting certain privileges to the Lincoln Telephone Exchange Company, and for the protection of the property thereof.

Be it ordained by the Mayor and Council of the City of Lincoln :

1674. § 1. LINES AND APPARATUS, HOW CONSTRUCTED, ETC.—That the Lincoln Telephone Exchange Company is hereby authorized to build, erect, and maintain and operate, within the corporate limits of the city of Lincoln, a telephone exchange line, and for this purpose the right is hereby granted said company to build, erect, and maintain, in the streets and alleys of said city, all necessary poles, wires, and apparatus, for the operation of such line: *Provided*, That all telephone poles shall be erected in said streets at a distance of twenty feet from the line of the street adjoining the lots, and all poles, wires, and apparatus, shall be erected at such distance apart, and of such height, that the free use of the streets for ordinary purposes shall not be interfered with nor obstructed, and that said telephone wires shall be temporarily removed, or taken down, when so directed by a resolution of the City Council, approved by the Mayor, upon a reasonable notice being given therefor: And *Provided further*, That when any street improvement is being made under the authority of the City Council of the city of Lincoln, that at the request of the Overseer of Streets, or person in charge of such improvement, the said Lincoln Telephone Exchange Company shall at once remove the poles, wires, and apparatus, to such place as may be directed by the Overseer of Streets, pending the completion of such improvement: And *Provided further*, That the City Council of the city of Lincoln may at any time hereafter, from time to time, amend this ordinance, leaving the franchise herein granted unimpaired.

§ 2.—PROTECTION OF.—It shall be unlawful for any person

to cut, chop, injure, destroy, or cut down, any telephone pole in the city of Lincoln, or to break, cut, tear down, injure, or destroy, any telephone wire or apparatus within the city of Lincoln, or to paste, tack, or to put up, on any telephone pole within the city of Lincoln any bill, notice, or advertisement of any kind.

§ 3.—PENALTY.—Whoever shall be convicted of a violation of any of the provisions of section two of this ordinance, shall be fined in any sum not less than two dollars nor more than twenty-five dollars, and costs of prosecution, and shall stand committed until such fine and costs are paid.

§ 4.—WHEN TO TAKE EFFECT.—This ordinance shall be in force from and after its passage, approval, and publication according to law.

Passed February 28, 1881. Approved March 2, 1881. Published March 4, 1881.

AN ORDINANCE granting certain rights and privileges to the Nebraska Telephone Company, and providing for the protection of the property thereof in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1675. § 1. That the Nebraska Telephone Company, successors or assigns, be and are hereby granted right of way for the erection and maintenance of poles and wires, with all the appurtenances thereto, for the purpose of transacting a general telephone and telegraph business, through, upon, and over, the streets, alleys, and public grounds, of the city of Lincoln.

Provided, first, That said company shall, at all times, when requested by the city authorities, permit their poles and fixtures to be used for the purpose of placing and maintaining thereon any wires which may be necessary for the use of the police or fire departments of the city, without compensation; and

Provided, second, That all telephone poles shall be erected so that the outside of the pole will be nineteen feet from the lot lines in the business portion, and twenty-four feet in the residence portion of the city, and such poles and wires shall be erected so as not to interfere with ordinary travel through such streets and alleys; and

Provided, third, That wires shall in no part be nearer than twenty feet to the surface of the ground; and

Provided, fourth, That when any street improvement is being

made under the authority of the City Council of the city of Lincoln, at the request of the Council, or of the committee having charge of the streets and grades, the said telephone company shall at once remove the poles and wires to such places as may be directed by the said Council, or committee, pending the completion of such improvement; and

Provided, fifth, Whenever it shall be necessary for any authorized person to move along or across any of said streets or alleys, any vehicle or structure of such height or size as to interfere with any poles or wires so erected, the company using and operating such poles and wires shall, upon receiving twenty-four hours' notice in writing, served upon agent or manager, temporarily remove such poles and wires from such places as must necessarily be crossed by such vehicle or structure; and

Provided, sixth, In case the said wires and poles shall not be moved by said telephone company, as required by this ordinance, the removing of the same may be caused and directed by the Committee on Streets and Grades, at the expense of said company.

§ 2. Any person who shall interfere with, cut, injure, remove, break, or destroy, any of the poles, wires, fixtures, instruments, or other property of any telephone company or association, or who shall paste, tack, or put up, on any poles or fixtures of any telephone company within the city of Lincoln, any bill, notice, or advertisement of any kind, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100).

§ 3. The City Council of the city of Lincoln may, at any time hereafter, amend this ordinance, leaving the franchise herein granted.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed October 12, A. D. 1885. Approved October 14, A. D. 1885.

AN ORDINANCE granting certain privileges to the Lincoln District Telegraph Company, and providing for the protection of the property thereof in the city of Lincoln.

Be it ordained by the Mayor and Council of the City of Lincoln, Nebraska:

1676. § 1. That the Lincoln District Telegraph Company, successors, or assigns, be and are hereby granted right of way for the erection and maintenance of poles and wires, with all the

appurtenances thereto, for the purpose of transacting a general district telegraph business through, upon, and over, the streets, alleys, and public grounds, of the city of Lincoln: *Provided, first*, That said company shall at all times, when requested by city authorities, permit their poles and fixtures to be used for the purpose of placing and maintaining thereon any wires which may be necessary for the use of the police or fire department of the city, without compensation; and providing said company are to use telegraph and telephone poles as far as practicable; and the city shall have the use of said company's wires and apparatus for use of police and fire department free of charge; and

Provided, second, That all telegraph poles shall be so erected that the outside of the pole will be two feet less than one-fourth the width of the street from the lot lines, and such poles and wires shall be erected so as not to interfere with ordinary travel through such streets and alleys; and

Provided, third, That wires shall in no part be nearer than twenty feet to the surface of the ground; and

Provided, fourth, That when any street improvement is being made under the authority of the City Council of the city of Lincoln, at the request of the Council or of the committee having charge of the streets and grades, the said Lincoln District Telegraph Company shall at once remove the poles and wires to such places as may be directed by said Council or committee, pending the completion of such improvement; and

Provided, fifth, Whenever it shall be necessary for any authorized person to move along or across any of said streets or alleys, any vehicle or structure of such height or size as to interfere with any poles or wires so erected, the company using and operating such poles and wires shall, upon receiving twenty-four hours' notice in writing served upon agent or manager, temporarily remove such poles and wires from such places as must necessarily be crossed by such vehicle or structure; and,

Provided, sixth, In case the said wires and poles shall not be moved by said Lincoln District Telegraph Company, as required by this ordinance, the removal of the same may be caused or directed by the Committee on Streets and Grades at the expense of said company; and,

Provided, seventh, That this franchise is granted subject to all ordinances now or hereafter to be in force relating to telegraph and telephone companies:

And *Provided further*, That said corporation or company

shall not sell, transfer, assign, or lease, the franchise, or any part thereof, to any corporation, person, or persons, without the consent of the Mayor and Council of the city of Lincoln.

§ 2. Any person who shall interfere with, cut, injure, remove, break, or destroy, any of the poles, wires, fixtures, instruments, or other property of any Lincoln District Telegraph Company or association, or who shall paste, tack, or put up, on any poles or fixtures of any Lincoln District Telegraph Company within the city of Lincoln, any bill, notice, or advertisement of any kind, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100).

§ 3. The City Council of the city of Lincoln may, at any time hereafter, amend this ordinance, leaving the franchise herein granted.

§ 4. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Approved this 4th day of June, A. D. 1887.

AN ORDINANCE granting the right of way to the Pacific Telegraph Company, and regulating the same.

Be it ordained by the Mayor and Councilmen of the City of Lincoln, Nebraska:

1677. § 1. The Pacific Telegraph Company, its successors and assigns, are hereby granted the right of way for the erection and maintenance of poles and wires with all the appurtenances thereto, for the purpose of transacting a general telegraph business through, upon, and over, the streets, alleys, and public grounds, of the city of Lincoln, under such reasonable regulations as may be provided by ordinance: *Provided*, Such poles and wires shall be erected so as not to interfere with the ordinary travel through such streets and alleys: And *Provided further*, That said poles and wires shall be temporarily removed whenever necessary to allow the grading of a street or alley.

§ 2. Any person who shall interfere with, cut, injure, remove, break, or destroy, any of the poles, wires, fixtures, instruments, or other property of the Pacific Telegraph Company, within the corporate limits of the city of Lincoln, shall be fined in any sum not exceeding fifty dollars.

§ 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

Passed September 21, 1885. Approved September 25, 1885.

AN ORDINANCE to amend an ordinance entitled "An ordinance granting to the Nebraska Telephone Company, its successors or assigns, the right to lay and maintain underground conduits, cables, and wires, with necessary appliances, in the streets and alleys in the city of Lincoln, Neb."

Be it ordained by the Mayor and Council of the City of Lincoln, Neb.:

1679. § 1. The right and privilege is hereby granted to the Nebraska Telephone Company, a corporation organized and existing under the laws of the state of Nebraska, its successors and assigns, to construct, lay down, maintain, and operate in the city of Lincoln, including all the streets, alleys, avenues, and thoroughfares thereof, underground conduits, with the necessary manholes and other appliances, and the wires or other conductors to be contained therein, for the transmission of electricity for "telegraphic, telephonic" and other purposes for which electricity may be used to transmit intelligence by signals or sounds. Such wires or conductors may be laid in pipes or conduits, or otherwise protected, and such other apparatus and appliances may be used as may be necessary or proper to maintain or operate the same; and the necessary connections to subscribers, stations, and other points may be made from such wires or conductors in localities where the same may be required, in such manner as may be best adapted to the location, and with such means, apparatus, and appliances as may be necessary or convenient. Such underground conduits, with the necessary manholes and other appliances, and the works or other conductors contained therein, shall be laid, as far as practicable, in the alleys of said city, under the supervision of the City Engineer: And *Provided further*, That in all cases where said Nebraska Telephone Company commence their conduits on any street, the same side of the street shall, where practicable, be occupied by said company for the entire distance in which their conduits are built on said street: And *Provided further*, That this section shall not be construed as authorizing the laying of such conduits or works through or over any private property.

§ 2. Nothing in this ordinance shall be construed as granting unto the said Nebraska Telephone Company, its successors and assigns, the exclusive right, or to prevent the granting of similar or other rights to other companies or individuals for like purposes.

§ 3. Before constructing any portion of the work hereby authorized, the said Nebraska Telephone Company shall file with

the City Engineer a plan and map of said work, which shall be subject to the approval of the City Engineer, whose approval shall be in writing and filed with the City Clerk, showing the location and character of its proposed work, and all such work shall be performed under the supervision of the City Engineer of the city of Lincoln: *Provided*, That said Nebraska Telephone Company shall not be allowed to enter upon or interfere with more than two blocks of any one street or alley at one time for the purpose of constructing said underground conduits.

§ 4. In every underground conduit constructed under the provisions of this ordinance there shall be provided, if required, free of cost or rent, during the continuance of this franchise, all the room required for laying therein the electrical wires of the fire department and the police telephone and telegraph wires now belonging or that may belong to the city of Lincoln for their exclusive use, and the police and fire departments, by their electrical superintendents, shall be allowed access to said wires at all times.

§ 5. The said Nebraska Telephone Company, its successors and assigns, shall accept the provisions of this ordinance within thirty days from the date of its passage, and shall within one year thereafter construct one mile of underground conduit.

§ 6. That before exercising any of the privileges granted by this ordinance the said Nebraska Telephone Company, its successors and assigns, shall file a bond in the sum of twenty thousand dollars (\$20,000), with two sureties to be approved by the Mayor, conditioned that it will fill all openings and relay all curbing, paving, or guttering which may be disturbed in laying said conduits, and that it will assume and pay all damage for personal and other injuries that may occur, either to private individuals or to corporations, as well as to the city of Lincoln, resulting from or growing out of the negligence or want of care on the part of the said Nebraska Telephone Company, its successors or assigns, in the construction of any of its conduits as herein provided for, and that it will preserve harmless the city of Lincoln from any liability or expense which may be placed upon it or for which it may be liable on account of any injury resulting from such negligence on the part of the Nebraska Telephone Company, its successors or assigns, as aforesaid. Said Nebraska Telephone Company, in addition to above bond, shall be compelled to keep on deposit with the City Treasurer not less than two hundred dollars (\$200), subject to the order of the city,

to be used for any purpose in the restoration of pavement and other city improvements after excavation. The said company shall not be liable for damage for personal or other injuries arising from or growing out of any negligence or want of care on the part of the said city, its agents or servants, in the use of said conduits.

§ 7. The location of said conduits in the streets, alleys, avenues, and thoroughfares must not interfere with sewers previously constructed, or in the progress of construction, or with gas and water pipes previously laid; and must be located without any unnecessary injury or public inconvenience: And be it further *Provided*, That after the location of the conduits have been fixed and determined as provided in this ordinance, the city shall not, by subsequent grant or franchise to other parties, permit the same to be interfered with, except by the permission of the said Nebraska Telephone Company, granted in writing and filed with the City Engineer.

§ 8. And in consideration of the rights and privileges granted to the said Nebraska Telephone Company, by this and prior ordinances, the said Nebraska Telephone Company shall, so long as it exercises such rights and privileges, pay into the city treasury of the city of Lincoln annually, as a privilege tax, the sum of \$500, said sum to be paid on or before the 1st day of April in each year.

§ 9. The rights and privileges hereby granted shall continue for the term of fifty years, and shall extend to and be confined to all the streets and alleys of the city of Lincoln and to all extensions of the same, under the terms and provisions of this ordinance.

§ 10. The said Nebraska Telephone Company shall give a bond, to be approved by the Mayor, in the sum of \$10,000, that it will within one year from the passage and approval of this ordinance construct not less than one mile of underground conduits, and if said work is not done the bond declared forfeited.

§ 11. This ordinance shall take effect and be in force from and after its passage. Approved and published according to law.

[Passed May 15, 1894. Approved May 16, 1894. Published in *News* May 16, 1894.]

ARTICLE XVII.

Viaducts.

AN ORDINANCE declaring the necessity for the construction of a viaduct on O street from a point at or near the west line of Eighth street, westwardly to a point near or upon Third street in the city of Lincoln, and the approaches thereto; also providing for the vacation of O street from the middle of Seventh street to the west side of Fourth street, in said city, and providing for the appointment of appraisers and the assessment of damages, if any, which may be caused to any property by reason of the construction of such viaduct and its approaches.

Be it ordained by the Mayor and Council of the City of Lincoln:

1709. § 1. That it is deemed and is hereby declared to be necessary for the safety and convenience of the public, and for the protection of life and property, to build, construct, and maintain in and upon O street from a point at or near the west line of Eighth street, westwardly to a point in or upon Third street, in the city of Lincoln, a viaduct, with a width of roadway of twenty-five feet, with a space for foot travel on each side thereof, and with proper approaches thereto, and across the tracks of the railroads of the Chicago, Burlington & Quincy Railroad Company and of the Omaha & Republican Valley Railway Company, and over any railroad track or tracks leased or operated by said companies or either of them.

§ 2. The plans and specifications for such viaduct and its approaches, together with the estimated cost of the whole work, are now on file in the office of the City Engineer of the city of Lincoln, bearing the approval of the said City Engineer, as well as the approval of the engineering officers of the Chicago, Burlington & Quincy Railroad Company and of the Omaha & Republican Valley Railway Company; and the said plans and specifications and estimates be and the same are hereby approved and adopted: *Provided*, That all minor details and specifications for this work shall be prepared by the City Engineer, and the same are hereby adopted as a part thereof, and cost thereof to be added to cost of viaduct.

§ 3. The proposition, undertaking, and agreement of the said Chicago, Burlington & Quincy Railroad Company and of the Omaha & Republican Valley Railway Company is hereby ratified and confirmed, and the said proposition and undertaking on the part of the said railroad companies is hereby accepted; the same being in words and figures following:

WHEREAS, There is now on file in the office of the City En-

gineer of the city of Lincoln certain plans and specifications for the construction of a viaduct in and along O street in the city of Lincoln, from, at, or near the west side of Eighth street to a point at or near Third street in said city, and certain estimates of the cost of such work; now, therefore, the Chicago, Burlington & Quincy Railroad Company and the Omaha & Republican Valley Railway Company do hereby jointly propose and undertake to the city of Lincoln:

First—That they will, upon the passage of an ordinance of said city to carry out this proposition, assume the payment to the city of Lincoln of three-fifths of the entire cost of said structure, and three-fifths of all damages to abutting property, if any, on account of the construction of said viaduct, and they will pay to the city the necessary funds to meet it, as the work progresses.

Second—They further undertake and agree that they will pay, in addition to said sums above named, the full one-fifth cost of the said structure, as a donation to the said city of Lincoln.

Third—The said companies further undertake and agree that they will, including the sums named in the above proposition, contribute a sum equal to the entire cost of the said viaduct and approaches. All sums to be paid from time to time, as required by the city and on demand thereof.

The above proposition is subject to the conditions below written, as follows:

1. No part of the cost of such structure, or its approaches, nor any sums for benefits growing out of the construction thereof, shall be assessed by special assessment against the property of said railroads, or either of them.

2. In no event shall said railroad companies be called upon to pay any money in excess of the total cost of said structure and its approaches; and said city shall, in consideration of said donation by said railroad companies, save and protect them and each of them from the payment of any sum of money whatever in excess of the amount of the cost of work, labor, and material in and on said structure and approaches.

3. There shall be granted to the Omaha & Republican Valley Railway Company the right to build, on either or both the north or south sides of said viaduct, approaches thereto from its property upon such plans and specifications as to the length, construction, location, and material thereof, as it may hereafter elect; subject to the condition that the plans and method of construc-

tion, and of the connection of such approaches to and with the body of the structure of said viaduct, shall be first approved by the Board of Public Works of the city of Lincoln: And *Provided*, That said Omaha & Republican Valley Railway Company shall pay all of the cost of the construction of such approach or approaches, and of the making of such connection or connections.

4. All the part of O street lying between the middle of Seventh street and the west line of Fourth street, in the city of Lincoln, shall be vacated as a street, and set apart to the use of said railroad companies for railroad purposes; reserving the right to the city to enter and re-enter thereon for the purpose of repairs upon or reconstruction of said viaduct.

5. When the said viaduct is completed the same shall be used and maintained by the city of Lincoln as a street in lieu of and instead of O street, as the same has heretofore existed, at the sole cost and charge of the city of Lincoln: *Provided*, That no authority or permission shall hereafter be granted by the city of Lincoln to any one or more street railway companies to lay down or use upon said viaduct street railway tracks, or to operate over or across said viaduct any street railway until there shall be paid to the city of Lincoln by such street railway company or companies a sum equal to the paving between the rails of the tracks of said street railway over and across said viaduct with such material as the city may designate; such sum of money to be so received by the city of Lincoln in trust as a fund to keep said viaduct in repair and maintain the same, or reconstructing such viaduct.

All ordinances necessary to the carrying out of this proposition shall be passed and enforced by the city of Lincoln.

OMAHA & REPUBLICAN VALLEY RAILWAY COMPANY,
E. DICKINSON, A. G. M.

THE CHICAGO, BURLINGTON & QUINCY RAILROAD
COMPANY,

By T. M. MARQUETT.

Dated this 3d day of January, A. D. 1893.

1. The Omaha & Republican Valley Railway Company and the Chicago, Burlington & Quincy Railroad Company hereby consent and agree that the plans and specifications for the viaduct on O street may be modified so as to show on O street an approach to said viaduct from the west in all respects similar to the approach shown on said plans on Third street turning or turned

towards the north, and consent that the details of such amendment to the plans aforesaid may be endorsed or drawn upon the original plans now filed with the city.

2. They further agree that the estimate of the City Engineer may be changed to include the cost of the additional work caused by the construction of such approach.

3. They agree that they will pay the cost of the removal of the bridge now on O street at or near Fourth street from its present location to a point on O street west of Third and the cost of re-erecting the said bridge in a new site thereof at the crossing of Salt creek over said O street.

4. They further agree that the cost of the additional approach mentioned in the first and second clauses hereof shall be included in and made a part of the total cost of the structure to be paid by them according to the terms of their proposition heretofore submitted to you.

OMAHA & REPUBLICAN VALLEY RAILWAY COMPANY,
By E. DICKINSON, *A. G. M.*

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY,
By T. M. MARQUETT, *Attorney in Fact.*

§ 4. At any time during or after the construction of said viaduct the said Omaha & Republican Valley Railway Company is hereby granted the right to build and maintain at its own cost and charge, on either or both the north or south sides of said viaduct, an approach or approaches thereto for its own use from its own property, or from Fourth street, upon such plans and specifications as to the length, construction, location, and material thereof as it may elect, subject to the condition that the plans for and the method of construction of the connection of such approach to and with the body of the structure of said viaduct shall be first approved by the Board of Public Works of the city of Lincoln. The city of Lincoln undertakes and agrees to cause the present bridge over Salt Creek, on O street, to be removed and re-erected over Salt creek across O street in the city of Lincoln west of Third, and the said Omaha & Republican Valley Railway Company and the Chicago Burlington & Quincy Railroad Company will, in order to obtain the benefits of this ordinance, pay to the city of Lincoln the cost of the removal of said bridge from said point on O street to and its erection on the new site thereof at the point where the same shall be re-erected on O street west of Third street.

§ 5. When said viaduct is completed according to plans and

specifications thereof now as aforesaid on file in the proper office of the city of Lincoln, and according to the provisions hereof, the said viaduct shall be used and maintained by the city of Lincoln as a street, in lieu of and instead of O street as the same has heretofore existed, at the sole charge of the city of Lincoln: *Provided*, That no authority or permission shall hereafter be granted by the city of Lincoln to any one or more street railway companies to lay down or use upon said viaduct, railway tracks, or to operate over and across the said viaduct, any street railway, until there shall be paid to the city of Lincoln by such street railway company or companies, a sum equal to the cost of paving between the rails of the tracks of such railway over and across the said viaduct, with such material as the city may designate; such sum of money to be so received by the city of Lincoln in trust, and that any money derived from such viaduct by the crossing thereon of street railway lines, or otherwise, shall constitute a special fund and shall be applied in making repairs to such viaduct or the approaches thereto, or re-constructing such viaduct.

§ 6. All of that part of O street which lies between the middle of Seventh street and the west line of Fourth street be and the same is hereby vacated as a street and set apart to the use of said railroad companies for railroad purposes, subject to the right of the city and its agents to enter or re-enter thereon for the purpose of repairing or reconstructing such viaduct, and for laying and relaying, reconstructing or repairing any of the water mains, sewers, sewer pipes, or gas mains within such street: *Provided*, That this section shall not take effect or have any force until said viaduct and the approaches thereto are fully completed, nor until the Council shall accept the same by resolution from the contractor: And *Provided further*, That said city in the performance of any such work in or upon said street shall so do and perform the same in such manner as to least interfere with the operation and management of the said railroads or either of them over and across the same.

§ 7. It shall be the duty of the Mayor to appoint three disinterested freeholders of the city of Lincoln, each of whom shall be approved by the City Council, who shall be known as a board of appraisers, whose duty it shall be to carefully inspect and view all real estate, and assess the damages, if any, which the owner thereof shall sustain by reason of the construction of such viaduct and its approaches, and make report in writing to the

Mayor and Council of said city. Either party or any taxpayer of said city shall have the right to appeal from such assessment, or any part thereof, to the district court of Lancaster county, Nebraska, by filing notice of such appeal with the City Clerk within ten days from the filing of such report, in the manner provided for appeals from justice of the peace; but if neither party appeals, such report and each part thereof shall have the force and effect of a judgment. Before said appraisers shall enter upon the discharge of their duties, they shall make and file with the City Clerk an oath that they will fairly and impartially and carefully in person inspect and view all real estate, and assess the damages, if any, to which the owner thereof shall be entitled, or which he may sustain by reason of the construction of such viaduct and its approaches.

§ 8. Before the said board of appraisers shall have authority to act, the owner of the property, if a resident of the city, shall have at least ten days' notice in writing, stating the time and place that such appraisement will take place, either by personal service or by leaving a copy thereof at his usual place of residence. If any property affected by the construction of such viaduct be owned by a non-resident, upon whom service of said notice cannot be had in this county, then twenty days' service of said notice may be made personally wherever such owner may be found, or by publication thereof in some newspaper published in this city four consecutive weeks, said notice to fix time of appraisement not less than twenty days after the last publication thereof; whereupon, and at said time, the said board shall act, and report thereafter as soon as convenient. Copies of all notices, with the manner of service, shall be attached to and returned with their report.

§ 9. By acting under the provisions of this ordinance the said railroad companies expressly waive any and all claims of damages they, or either of them, may have or suffer by reason of the construction, maintenance, or repair of such viaduct and the approaches thereto, and the city will hold the said railroad companies harmless from the payment of any damages to property by reason of the construction of such viaduct and the approaches thereto; but this shall not apply to any damages which may arise by or through the negligence of either of said companies in the operation of their roads respectively, or any way connected therewith, whether said last mentioned damages be in the nature of personal injuries or otherwise, or injuries to said viaduct.

§ 10. That an ordinance entitled "An ordinance declaring the necessity for the construction of a viaduct on O street from a point at or near the west line of Eighth street, westwardly to a point near or upon Third street, in the city of Lincoln, and the approaches thereto; also providing for the vacation of O street from the middle of Third street to the west side of Fourth street, in said city, and providing for the appointment of appraisers and the assessment of damages, if any, which may be caused to any property by reason of the construction of such viaduct and its approaches," approved January 17, 1893, be and the same is hereby repealed, and this ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed January 24, 1893. Approved January 25, 1893. Published in *News* January 26, 1893.]

AN ORDINANCE calling a special election in the city of Lincoln, Lancaster county, Nebraska, to enable the electors of said city to authorize the Mayor and Council to borrow and pledge the property and credit of said city, upon its negotiable bonds, to the amount not exceeding two hundred thousand dollars (\$200,000), for the purpose of constructing a viaduct on Ninth (9th) street in the city over the tracks of the Missouri Pacific Railway Company, Fremont, Elkhorn and Missouri Valley Railroad Company, and the Chicago, Burlington and Quincy Railroad Company, and to levy a tax on all the taxable property of said city, in addition to all other taxes, sufficient to pay the principal and interest on said bonds as the same become due and payable.

Be it ordained by the Mayor and Council of the City of Lincoln :

1712. § 1. A special election is hereby called to be held in the city of Lincoln, in the county of Lancaster and state of Nebraska, on the 6th day of November, 1894, at the places hereinafter specified in the several election districts in said city, to vote upon the following proposition, that is to say:

Shall the Mayor and the Council of the city of Lincoln, Lancaster county, Nebraska, have the power to borrow money, and pledge the property and credit of said city of Lincoln, upon its negotiable bonds, to an amount not exceeding two hundred thousand dollars (\$200,000), for the purpose of constructing a viaduct and approaches thereto, including damages resulting from the construction thereof, on Ninth (9th) street in said city over the tracks of the Missouri Pacific Railway Company, the Fremont, Elkhorn & Missouri Valley Railroad Company, and the Chicago, Burlington & Quincy Railroad Company, said amount being the estimated cost of the construction of said viaduct, approaches thereto, and damages resulting from the construction

thereof; and shall the Mayor and Council of said city have the power to levy a tax on all taxable property of said city, in addition to all other taxes, sufficient to pay the principal and interest on said bonds as the same become due and payable; but no tax shall be levied for any portion thereof that can be collected from the railroad companies by assessment or otherwise.

§ 2. The bonds proposed by the proposition contained in section one hereof shall draw interest at the rate of six per cent per annum from the date of their delivery, payable semi-annually, said interest to be evidenced by coupons thereto attached. Said bonds shall be drawn payable to bearer five years after date, but redeemable at the option of the city at any time, and shall be dated the date of their delivery, and the interest and principal of said bonds shall be payable at the fiscal agency of the state of Nebraska in the city of New York.

§ 3. That the proceeds of the sale of said bonds shall be paid to the Treasurer of said city, and shall be by said City Treasurer kept in a separate fund, to be known as a viaduct fund, and used only for the purposes herein indicated.

§ 4. The judges and clerks of the election herein called shall be the judges and clerk of the general election held on the same day, and the places for voting hereon shall be the same as for said general election. The rules and regulations of said general election shall govern as to this election, so far as the same are applicable.

§ 5. Should a majority of the ballots cast at said election upon the above proposition be in favor thereof, then the Mayor and Council shall be authorized to issue and sell the bonds hereinbefore described and to use the money therefor for the purposes designated in this ordinance.

§ 6. The ballots voted at such election shall have written or printed thereon, or partly written and partly printed thereon, the words: "Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money, and pledge the property and credit of said city of Lincoln, upon its negotiable bonds, to an amount not exceeding two hundred thousand dollars (\$200,000), for the purpose of constructing a viaduct on Ninth (9th) street, commencing forty feet south of south line of U street, running north eighteen hundred seventy-five feet (1875) to a point one hundred twenty feet (120) north of north line of Y street, in the city of Lincoln, over the tracks of the Chicago, Burlington & Quincy Railroad Company, the Fremont,

Elkhorn & Missouri Valley Railroad Company, and the Missouri Pacific Railway Company, and to levy a tax on all taxable property of the city of Lincoln, in addition to all other taxes, sufficient to pay the principal and interest on said bonds as the same may become due and payable? Yes. Or, Shall the Mayor and Council of the city of Lincoln, Lancaster county, Nebraska, have power to borrow money, and pledge the property and credit of said city of Lincoln, upon its negotiable bonds, to an amount not exceeding two hundred thousand dollars (\$200,000), for the purpose of constructing a viaduct on Ninth (9th) street, commencing forty feet south of the south line of U street, running north eighteen hundred seventy-five (1875) feet to a point one hundred twenty feet (120) north of north line of Y street over the tracks of the Chicago, Burlington & Quincy Railroad Company, the Fremont, Elkhorn & Missouri Valley Railroad Company, and the Missouri Pacific Railway Company in the city of Lincoln, and to levy a tax on all taxable property in the city of Lincoln, in addition to all other taxes, sufficient to pay the principal and interest on said bonds as the same may become due and payable? No.

§ 7. The proposition herein submitted for the issuance of such bonds and levying the tax herein provided shall be published for thirty days, or four weeks, as the law indicates in a newspaper published and of general circulation in said city.

§ 8. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Approved October 3, 1894. Published in *News* October 6, 1894.]

AN ORDINANCE declaring the necessity for the construction of a viaduct on Ninth street in the city of Lincoln over the tracks of the Chicago, Burlington and Quincy Railroad Company, the Fremont, Elkhorn and Missouri Valley Railroad Company, and the Missouri Pacific Railway Company, with proper approaches thereto, the building of said viaduct, regulating the use thereof, and assessing the cost of such viaduct to the railroad companies over which the same is constructed.

Be it ordained by the Mayor and Council of the City of Lincoln:

1713. § 1. That it is deemed, and is hereby declared to be, necessary for the safety, convenience, and protection of the public to construct and maintain in and upon 9th street, commencing 40 feet south of south line of U street, running north 1,875 feet to a point 120 feet north of north line of Y street, in the city of Lincoln, a viaduct with a roadway of twenty-five feet in width, with a space for foot travel on one or both sides thereof, and of

such width as the Mayor and Council may by resolution determine, with proper approaches at the ends and sides thereof, as the Mayor and Council may determine, said viaduct to extend across the tracks of the Chicago, Burlington and Quincy Railroad Company, the Fremont, Elkhorn and Missouri Valley Railroad Company, and the Missouri Pacific Railway Company, and over any railroad track or tracks leased, operated, or under the exclusive use of or by said companies, or either or any of them. Said viaduct to be constructed with steel, iron, stone, on proper footing or concrete foundation, lumber, paved with proper paving blocks; the approaches to be constructed with earth in proper retaining walls and pavement; the plans and specification therefor, and the manner and time for doing the work shall be adopted, directed, and fixed by the Mayor and Council by resolution or ordinance, and the same may be changed from time to time as may be determined.

§ 2. The plans and specifications which the City Engineer of said city has now prepared for the construction of such viaduct be and the same are hereby adopted and approved and made a part of this ordinance, and shall be the working plans and specifications therefor, unless the Mayor and Council shall hereafter determine to change the same, and shall so change the same either by ordinance or resolution.

§ 3. That the construction of said viaduct be and the same is hereby ordered, and the Mayor and Council authorized, by resolution or otherwise, to do any and all things necessary therefor.

§ 4. That when said viaduct is completed in accordance with the provisions of this ordinance and the directions of the Mayor and Council, the same shall be used and maintained as a street. That no street railway or other company shall have any right or authority to lay tracks, or in any way to occupy said viaduct or any part thereof, until so authorized by the Mayor and Council, and nothing in this ordinance shall be construed to give such authority.

§ 5. No expense shall be incurred or contract made under the provisions of this ordinance except the appraisement of damages under the general ordinances of the city, until the funds for the construction thereof shall be in the hands of the City Treasurer, or authorized by a vote of the people. The cost of the construction of such viaduct and its approaches, including whatever damages private property may suffer by reason of the construction thereof, shall, after the completion thereof, be by the Mayor

and Council levied and assessed upon the railroad companies, and the property thereof, owning and using said tracks in proportion to the length of the viaduct made necessary by the tracks of each company, as may be determined by the City Engineer to the satisfaction of the Council.

§ 6. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law.

[Passed October 1, 1894. Approved October 3, 1894. Published in *Journal* October 8, 1894.]

Be and the same are hereby declared to be the ordinances and laws of the city of Lincoln, Nebraska.

1716. § 2. That all ordinances and parts of ordinances in conflict with the provisions of this ordinance be and they are hereby repealed.

§ 3. That this ordinance shall be in force and take effect from and after its passage, approval, and publication according to law.

Passed August 26, A. D. 1895.

Approved August 26, A. D. 1895. F. A. GRAHAM, *Mayor*.

Attest: J. W. BOWEN, *City Clerk*. [SEAL.]

STATE OF NEBRASKA, }
COUNTY OF LANCASTER. } ss.

I, J. W. Bowen, Clerk of the city of Lincoln, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An ordinance for revising and consolidating the general ordinances of the city of Lincoln and arranging the special ordinances, the charter, and the rules of the Excise Board for publication in book form," passed by the City Council of said city August 26, A. D. 1895, and approved by the Mayor August 26, A. D. 1895.

I further certify that the original ordinance, of which the foregoing is a certified copy, is by law intrusted to my custody for safe keeping, and is on file in my office.

Witness my hand and the corporate seal of said city this 26th day of August, A. D. 1895.

[SEAL.]

J. W. BOWEN, *City Clerk*.

1717. CERTIFICATE OF PUBLICATION.

STATE OF NEBRASKA, }
COUNTY OF LANCASTER. } ss.

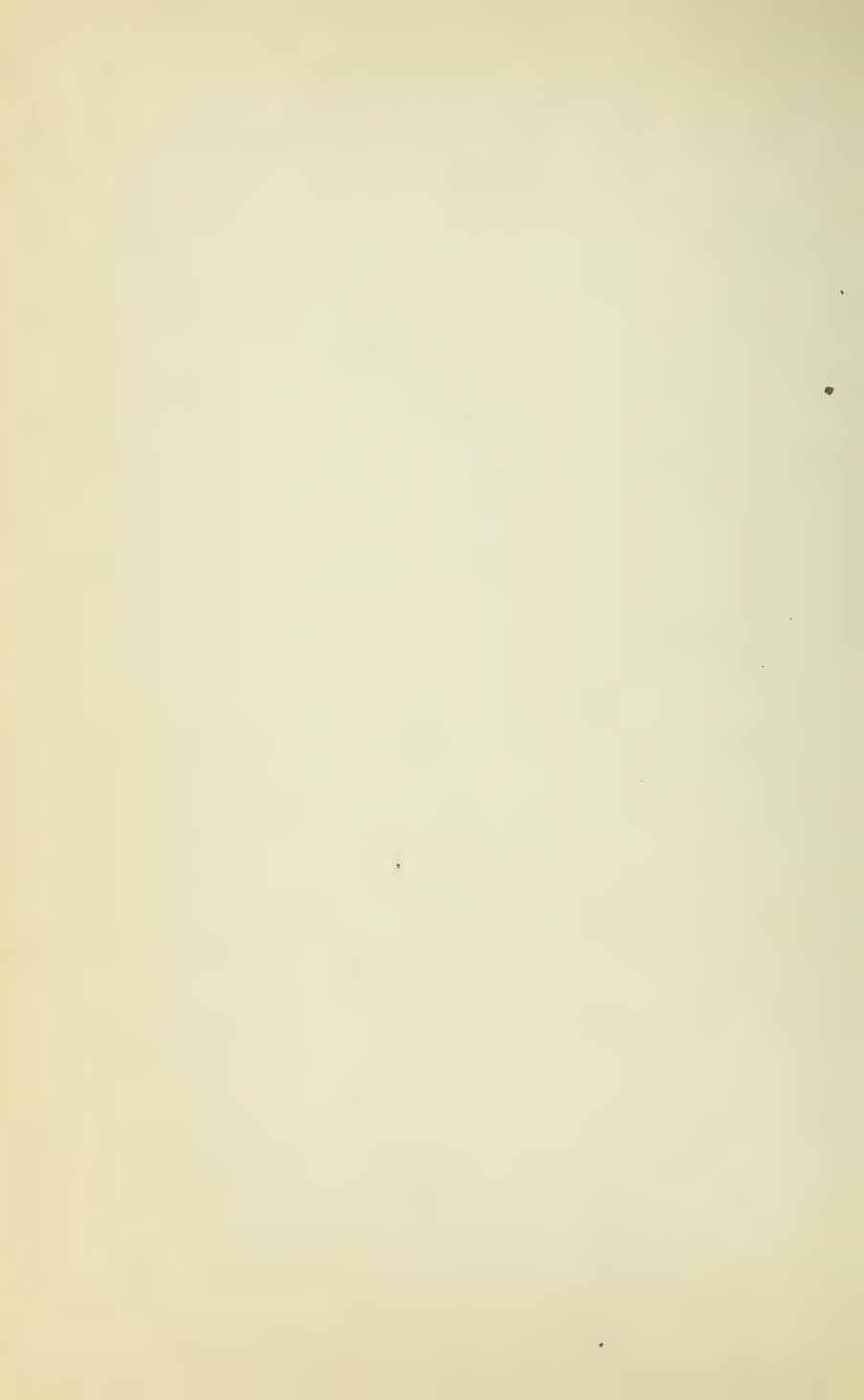
I, A. H. Mendenhall, being first duly sworn, on oath say that I am the chief business manager and one of the proprietors of the State Journal Company, a printing and publishing company in the city of Lincoln, in said county and state; that the above and foregoing "Revised Ordinances of Lincoln, Neb.," being a revision of the ordinances of said city, and the above and foregoing ordinance, were printed and published in book and pamphlet form, in the city of Lincoln, Nebraska, in pursuance of the provisions of the statutes of the state of Nebraska and the ordinances of the city of Lincoln, by said State Journal Company on the 26th day of August, A. D. 1895, and duly delivered to the Clerk of said city.

* A. H. MENDENHALL.

Subscribed in my presence and sworn to before me this 26th day of August, A. D. 1895.

[SEAL.]

P. F. GREENE,
Notary Public.



PART FOUR.

Organization of the Town and City of Lincoln.

ORGANIZATION OF THE TOWN OF LINCOLN— ORIGINAL INCORPORATION.

[LIMITS DEFINED.]

INCORPORATION OF LINCOLN.

Petition for the incorporation of the town of Lincoln, Lancaster county, Nebraska.

*To the Board of County Commissioners in and for the County of
Lancaster, State of Nebraska:*

1718. We, the undersigned, a majority of the taxable inhabitants of the town of Lincoln, Lancaster county, State of Nebraska, humbly petition your honorable body that all of section twenty-six, (26), the west half of section twenty-five, (25,) the southwest quarter of section twenty-four, (24,) and the south half of section twenty-three, (23,) in accordance with exhibit "A," hereto annexed, all of which lands are situated in town ten north, range six east, in the county of Lancaster, state of Nebraska, may be incorporated as a town, under the name and style of Lincoln; and we further petition your honorable body that a police may be established for our local government, and that the town of Lincoln may be, by your order, declared a body politic and corporate, by the name and style of Lincoln, as by the statute in such case made and provided, and your petitioners will ever pray.

S. B. GALEY.
J. R. DELAND.
SETH ROBINSON.
S. B. POUND.
W. W. CARDER.
WM. MONTGOMERY.
H. B. BEEBE.
BEEBE & POTTER.
A. C. RUDOLPH.
JULIEN DEETOR.
GEORGE D. SMITH.
D. A. SHERWOOD.
SAMUEL D. DUTTON.
A. J. CROSEY.
A. M. GHOST.
A. J. GUTHRIDGE.
GEO. C. McKAY.
WM. RUME.
D. S. SMITH.
A. STEWART.
M. M. CULVER.
JOSEPH JOHNSON.
E. R. TINGLEY.
O. PARKER.
F. G. FULLER.

D. P. BOWEN.
M. LANGDON.
J. H. HAWKS.
J. CADMAN.
H. T. DAVIS.
GEO. L. WILLIAMS.
P. ROBERTS.
C. N. WAY.
JOHN MORRIS.
JOHN G. MORRIS.
R. P. CODY.
PETER NORMAN.
JOHN NEIL.
ADAM BAX.
B. RINGER.
H. L. BROWN.
J. N. RANSOM.
P. S. ALLEN.
A. C. TICHENOR.
C. D. HYATT.
D. M. HILLIARD.
A. L. CULVER.
JACOB HILLARD.
HIRAM M. MONTIETH.
DONALD STEWART.

AUG. F. HARVEY.
ROBERT OWEN.
JOHN I. DUNKEN.
GEO. S. MCGREGOR.
R. J. ROSEMOND.
SAMUEL WARFIELD.
JOSEPH KEOPETZKY.
A. TINGLEY.
T. S. GANTER.
D. H. TINGLEY.
CHARLES LITTLE.
CHARLES B. BROWN.
O. NORTON.
CHARLES NORTON.
ROGER MULLIN.
K. C. SMITH.
NAT. BROWN.
THOMAS J. KENEY.
S. RYMAL.
JOHN R. PATRICK.
GEO. M. LATTIN.
A. C. SHIRLY.
G. W. BALLANTINE & CO.
JOHN M. BRADFORD.
WM. C. CLOYD.

W. C. HEDDLESON.
 R. M. MANLEY.
 S. T. MCCORD.
 H. L. PECKHAM.
 S. A. COX.
 S. B. LINDERMAN.
 R. F. BONN.
 E. I. HUDSON.
 I. N. CASSELL.
 J. P. LANTZ.
 J. DRUM, JR.
 A. M. McELHINNEY.
 I. S. SAUNDERS.
 ANNUMOT ANDREWS.
 C. M. LEIGHTON.
 H. N. BROWN.
 J. N. PARKER.
 J. D. PARKER.
 R. A. BAIN.
 JOHN D. BAIN.
 L. B. WILKINSON.
 FRANK SCOLLAN.
 SAMUEL Z. CULVER.
 F. B. HARTZELL.
 PALMER WAY.
 JOHN CARR.
 S. S. ROYCE.
 TOPNEY Q. POMBREY.
 MORRIS WAUL.
 H. S. CHILDS.
 H. SWARTZ.
 L. A. SCOGGIN.
 J. F. KIMBLE.
 C. B. KIMBLE.
 J. D. BEACH.
 H. H. FREEMAN.

C. M. MILLER.
 JOHN MONTIETH.
 ROBERT MONTIETH.
 N. ATWOOD.
 J. E. ATWOOD.
 H. PETZER.
 THOMAS WHITE.
 HERM. POPPLEBAUM.
 WM. SHIRLEY.
 PAREN ENGLAND.
 WALTER J. LAMB.
 S. M. BOYD.
 A. M. McCANDLESS.
 M. G. BOHANAN.
 F. H. BOHANAN.
 PHILIP MOLL.
 M. RICH.
 M. OPPENHEIMER.
 O. N. HUMPHREY.
 C. N. BAIRD.
 W. D. KERR.
 J. D. MINSHALL.
 J. N. RUFFNER.
 A. HUMPHREY.
 JAS. F. BURT.
 JESSE CAMPION.
 A. M. STEVENS.
 JOSEPH CAMERON.
 I. N. ATKINSON.
 L. E. CROUSEY.
 W. H. ROOT.
 JOSEPH H. KNOX.
 SAMUEL McCLAY.
 JAMES A. BAILEY.
 ALBERT BILES.
 E. STOLEY.

C. C. BURR.
 JACOB PFLUG.
 PETER MCCORMICK.
 PHILETUS PECK.
 JAS. E. PHILPOTT.
 JOSEPH HODGES.
 THOS. MEDAHILL.
 DAN ELROD.
 S. M. ROOD.
 GEO. BENTON.
 JOHN N. TOWNLEY.
 N. T. BROWNSON.
 JOHN L. McCONNELL.
 J. C. STIRE.
 R. H. TOWNLEY.
 WM. B. BOLMAN.
 H. KENNEDY.
 H. D. GILBERT.
 V. K. TOUT.
 THOS. H. HYDE.
 W. W. HOLMES.
 CARL RICHARDSON.
 JAMES H. WHITE.
 JOHN STEWART.
 J. D. MONELL.
 D. H. LASHLEY.
 J. A. POOL.
 J. M. HAAS.
 H. N. HICKOX.
 G. H. BRYAN.
 J. N. HENY.
 A. L. PALMER.
 B. F. COZAD.
 CHARLES H. GERE.
 H. S. JENNINGS.

Dated: Lincoln, March 13, 1869.

STATE OF NEBRASKA, }
 COUNTY OF LANCASTER. } ss.

James R. DeLand, of said county, being by me duly sworn, on oath says that he is a resident of the town of Lincoln, Lancaster county, Nebraska, and that he procured the signatures to the foregoing petition, and that the persons who signed the foregoing petition are more than one-half of all the taxable inhabitants residing in said town of Lincoln, and further he saith not.

J. R. DELAND.

Subscribed and sworn to before me this first day of April, 1869.

[L. S.]

S. B. GALEY, *County Clerk.*

STATE OF NEBRASKA, }
 COUNTY OF LANCASTER. } ss.

COUNTY CLERK'S OFFICE FOR SAID COUNTY, }
 Wednesday, April 7, 1869. }

Board of County Commissioners met pursuant to adjournment, at the office of the County Clerk of said county, it being the

usual place of the meeting of said board. Present: John W. Pray, chairman; W. R. Field, and Silas Pratt, County Commissioners; J. H. Hawk, County Sheriff; and S. B. Galey, County Clerk.

James R. DeLand, of the town of Lincoln, in said county, came before said Board of County Commissioners and presented to said board the petition of A. J. Cropsey, N. Atwood, John L. McConnell, and one hundred and eighty other persons, residents of the town of Lincoln, praying that section twenty-six, (26,) the west half of section twenty-five, (25,) the southwest quarter of section twenty-four, (24,) and the south half of section twenty-three, (23,) all in town ten (10) north, range (6) east, in said county of Lancaster may be incorporated as a town under the name and style of Lincoln; and said Board of County Commissioners being satisfied by the affidavit of James R. DeLand, of the town of Lincoln, that the majority of all the taxable inhabitants of the town of Lincoln have signed said petition, it is ordered now here by said Board of County Commissioners that section twenty-six, (26,) the west half of section twenty-five, (25,) the southwest quarter of section twenty-four, (24,) and the south half of section twenty-three, (23,) all in town ten (10) north, range six (6) east, in said county of Lancaster aforesaid, be and the same is hereby declared an incorporated town, under the name and style of the town of Lincoln, and it is further ordered that from and after this date the inhabitants residing upon said described lands shall be a body politic and corporate, by the name and style of the town of Lincoln, and they and their successors shall be known by that name, in law, and have perpetual succession, sue and be sued, defend and be defended, in all courts of law and equity; and may grant, purchase, hold, and receive property, both real and personal, within said town, and lease, sell, and dispose of same for the benefit of said town; and may have a common seal, and may alter the same at pleasure; and further, may do any and all acts that it is lawful for incorporated towns to do under and by virtue of the laws of this state in relation to incorporated towns; and it is further ordered by said Board of County Commissioners that H. S. Jennings, S. B. Linderman, H. D. Gilbert, J. L. McConnell, and D. W. Tingley, be and they are hereby appointed Trustees in and for said town of Lincoln; and it is further ordered, that Seth Robinson, A. J. Cropsey, and J. N. Townley, of the town of Lincoln, be and they are hereby appointed judges of election for the said town of Lincoln.

In witness whereof, we have hereunto set our hands on this 7th day of April, A. D. 1869.

JOHN W. PRAY,

Chairman of the Board of County Commissioners.

S. B. GALEY,

County Clerk.

STATE OF NEBRASKA, }
COUNTY OF LANCASTER. } ss.

This is to certify that the foregoing exhibit "A," hereunto annexed, is a true copy of the original exhibit on file in my office annexed to the petition accompanying the same, and I further certify that the annexed petition, dated Lincoln, March 13, 1869, signed by S. B. Galey, J. R. DeLand, Seth Robinson, and by one hundred and eighty-five other persons, is a true copy of the original on file in my office; and I do further certify that the foregoing order made by the County Commissioners on the seventh day of April, A. D. 1869, is a true copy of the original as the same is on file in my office; and further, that said foregoing order is a true copy of the original record as the same appears in my office on pages twenty (20) and twenty-one (21) of the record of the Board of Commissioners kept by me in my office as Clerk of the Board of Commissioners.

In witness whereof, I have hereunto set my hand and the seal of said county. Done at Lincoln this eighth day of April, 1869.

[L. S.]

S. B. GALEY, *County Clerk.*

ORGANIZATION AS A CITY OF SECOND CLASS.

[UNDER ACT OF 1871.]

AN ORDINANCE

Declaring and organizing the town of Lincoln as a city of second class, approved March 18, 1871.

WHEREAS, On the sixth day of April, A. D. 1868, the town of Lincoln, in the county of Lancaster, Nebraska, was duly organized by and under the provisions of chapter 53 of the Revised Statutes of the state of Nebraska, entitled "Towns," and has ever since remained, and now is so organized; therefore,

Be it ordained by the Board of Trustees of the Town of Lincoln:

SECTION 1.—NAME OF TOWN.—That the said town of Lincoln be, and the same is hereby incorporated as a city of the

second class, by and under the provisions of an act of the Legislature of the state of Nebraska, entitled "An act to incorporate cities of the second class, and to define their power," approved March 1, A. D. 1871.

§ 2.—NAME OF CITY.—The name by which said city shall hereafter be known is, "The city of Lincoln."

§ 3.—Repealed.

§ 4.—WHEN TAKES EFFECT.—This ordinance shall take effect and be in force from and after the date of its publication in the *Nebraska State Journal* according to law.

ORGANIZATION OF THE CITY OF LINCOLN AS A CITY OF THE SECOND CLASS HAVING MORE THAN TEN THOUSAND INHABITANTS.

[UNDER THE ACT OF 1883.]

MAYOR'S CERTIFICATE.

STATE OF NEBRASKA, }
LANCASTER COUNTY. } ss.

To his Excellency the Governor of the State of Nebraska:

I, John Doolittle, Mayor of the city of Lincoln, of the county of Lancaster, and state of Nebraska, do hereby certify that as shown by the certificate of the County Clerk of the county of Lancaster, and state of Nebraska, hereto attached and made a part hereof, the city of Lincoln, according to the Government census of 1880, possessed a population of thirteen thousand five hundred and ninety-eight; that since said date the population of said city of Lincoln has largely increased, and now possesses an estimated population of not less than fifteen thousand.

Done in pursuance of section two of an act of the Legislature of the state of Nebraska, entitled "A bill for an act to provide for the organization, government, and powers of the cities of the second class having more than ten thousand inhabitants," approved March first, A. D. 1883.

Witness my hand and the seal of said city of Lincoln, this first day of March, A. D. 1883.

[SEAL.]

JOHN DOOLITTLE, *Mayor*.

ATTEST: R. C. MANLEY, *City Clerk*.

LINCOLN, NEBRASKA, March 1, 1883.

I, J. H. McClay, County Clerk of Lancaster county, Nebraska, do hereby certify that, as appears from the records of this office, according to Government census, 1880, the population of the city of Lincoln is 13,598.

In witness whereof, I hereunto set my hand and official seal, at Lincoln, this first day of March, A. D. 1883.

[SEAL.]

J. H. McCLAY, *County Clerk.*

BY O. C. BELL, *Deputy.*

PROCLAMATION OF THE GOVERNOR.

WHEREAS, A certificate has this day been filed in the executive office by the Mayor of the city of Lincoln, in the state of Nebraska, wherein it is certified that said city of Lincoln contains a population of 13,598 inhabitants, as shown by the United States census of 1880, and that the population of said city has largely increased since that date, and is now estimated at fifteen thousand inhabitants.

Therefore, In accordance with section two of act entitled "An act to provide for the organization, government, and powers, of cities of the second class having more than ten thousand inhabitants," approved March 1, 1883, I, James W. Dawes, Governor of the state of Nebraska, do hereby issue my proclamation, and declare said city of Lincoln a city of the second class, and subject to all the provisions of said act.

In testimony whereof, I have hereunto set my hand, and caused to be affixed the great seal of the state of
[SEAL.] Nebraska. Done at Lincoln, this first day of March, A. D. 1883.

JAMES W. DAWES.

BY THE GOVERNOR:

E. P. ROGGEN, *Secretary of State.*

OFFICERS OF THE TOWN AND CITY OF LINCOLN.

OFFICERS FOR 1868.

Trustees of the town of Lincoln, appointed by the County Commissioners of Lancaster county, Nebraska, April 6, 1868:

L. A. SCOGGIN. B. F. COZAD. L. H. POTTER.
 W. W. CARDER. A. L. PALMER.

NELSON C. BROCK.....Clerk.

OFFICERS FOR 1869.

Trustees of the town of Lincoln appointed by the County Commissioners of Lancaster County, Nebraska, April 7, 1869:

H. S. JENNINGS. H. D. GILBERT. S. B. LINDERMAN.
 J. L. McCONNELL. D. W. TINGLEY.

J. R. DeLAND.....Clerk.

Trustees of the town of Lincoln elected the 3d of May, 1869:

C. H. GERE. WILLIAM ROWE. H. D. GILBERT.
 PHILETUS PECK. JOHN L. McCONNELL.

J. R. DeLAND Clerk.

JAMES E. PHILPOTT.....Attorney.

CARL RICHARDSON.....Marshal.

NELSON C. BROCK.....Treasurer.

OFFICERS FOR 1870.

Trustees of the town of Lincoln from May 13, 1870, to April 18, 1871:

C. H. GERE. C. N. BAIRD. D. A. SHERWOOD.
 H. J. WALSH. D. S. SMITH.

R. O. PHILLIPS.....Clerk.

NELSON C. BROCK.....Treasurer.

CARL RICHARDSON.....Marshal.

JAS. E. PHILPOTT.....Attorney.

OFFICERS FOR 1871.

Officers for the city of Lincoln from April 18, 1871, to April 13, 1872:

HON. W. F. CHAPIN..... Mayor.
HON. J. GOSPER..... Pres. Council.

Councilmen.—First ward, L. A. SCOGGIN, two years.
First ward, C. C. BURR, one year.
Second ward, D. A. SHERWOOD, two years.
Second ward, J. M. CREAMER, one year.
Third ward, J. J. GOSPER, two years.
Third ward, J. L. MCCONNELL, one year.

THOS. J. CANTLON..... Clerk.
C. H. STREET..... Police Judge.
GEO. W. BALLANTINE..... Treasurer.
R. E. MOORE..... Police Judge.
A. G. HASTINGS..... Marshall.
C. C. RADMORE..... City Physician.
T. T. MURPHY..... Engineer.

OFFICERS FOR 1872.

Officers of the city of Lincoln from April 13, 1872, to April 11, 1873:

HON. E. E. BROWN..... Mayor.
HON. J. J. GOSPER..... Pres. Council.

Councilmen.—First ward, L. A. SCOGGIN, one year.
First ward, J. R. FAIRBANKS, two years.
Second ward, WM. McLAUGHLIN, two years.
Second ward, D. A. SHERWOOD, one year.
Third ward, S. G. OWEN, two years.
Third ward, J. J. GOSPER, one year.

THOMAS J. CANTLON..... Clerk.
WM. A. COLEMAN..... Treasurer.
JOHN A. McMANIGAL..... Marshal
J. O. CARTER..... City Physician.
R. E. MOORE..... Police Judge.
TOM I. ATWOOD..... Engineer.

OFFICERS FOR 1873.

Officers of the city of Lincoln from April 11, 1873, to April 11, 1894:

HON. ROBERT D. SILVERS Mayor.
 HON. L. A. SCOGGIN..... Pres. Council.

Councilmen.—First ward, L. A. SCOGGIN, two years.
 First ward, J. R. FAIRBANKS, one year.
 Second ward, T. P. QUICK, two years.
 Second ward, WM. McLAUGHLIN, one year.
 Third ward, N. S. SCOTT, two years.
 Third ward, S. G. OWEN, one year.

R. N. VEDDER, resigned Sept. 2, 1874.....City Clerk.
 EDWARD P. ROGGEN, to fill vacancy.....City Clerk.
 WM. A. COLEMAN.....City Treasurer.
 BRAD RINGER.....City Marshal.
 TOM I. ATWOOD.....Engineer.
 S. W. ROBINSON.....Physician.
 HON. LEWIS A. GROFF.....Police Judge.
 HON. C. GREEN, to fill vacancy.....Police Judge.
 HON. G. B. SKINNER.....St. Commissioner.
 HON. G. B. SKINNER.....Fire Warden.
 T. P. QUICK.....Chief Fire Dept.

OFFICERS FOR 1874.

Officers of the city of Lincoln from April 11, 1874, to April 15, 1875:

Councilmen.—First ward, JOHN EATON, two years.
 First ward, L. A. SCOGGIN, one year.
 Second ward, WM. McLAUGHLIN, two years.
 Second ward, T. P. QUICK, one year.
 Third ward, W. P. PHILLIPS, two years.
 Third ward, N. S. SCOTT, one year.

HON. SAMUEL W. LITTLE.....Mayor.
 HON. L. A. SCOGGIN.....Pres. Council.
 EDWARD P. ROGGEN City Clerk.
 WM. A. SHARRAR Treasurer.
 P. H. COOPER City Marshal.
 A. ROBERTS City Engineer.
 HON. JEFF. FOXWORTHY.. Police Judge.
 HON. G. B. SKINNER.....St. Commissioner.
 HON. G. B. SKINNER.....Fire Warden.
 HON. T. P. QUICK.....Chief Fire Dept.
 GRANVILLE ENSIGN.....Asst. Chf. F. Dept.

OFFICERS FOR 1875.

Officers of the city of Lincoln from April 15, 1875, to April 15, 1876.

HON. AMASA COBB.....	Mayor.
B. F. FISHER.....	Treasurer.
R. W. TAYLOR.....	Police Judge.
R. W. CHARTERS.....	City Clerk.
P. H. COOPER.....	City Marshal.
A. ROBERTS.....	City Engineer.
PHILETUS PECK.....	Cemetery Trustee.

Board of Education.—L. W. BILLINGSLEY, short term.

P. A. SMITH, short term.

PAREN ENGLAND, long term.

H. W. HARDY, long term.

Councilmen.—First ward, JAMES LEDWITH.

First ward, J. R. FAIRBANK, to fill vacancy.

Second ward, FRED KRONE.

Third ward, O. KINGMAN.

W. P. PHILLIPS.....Pres. Council.

T. P. QUICK.....Chief Fire Dept.

OFFICERS FOR 1876.

Officers of the city of Lincoln from April 15, 1876, to April 15, 1877:

HON. R. D. SILVERS.....	Mayor.
P. H. COOPER.....	Marshal.
JOHN McLEAN.....	Police Judge.
GEO. V. KENT.....	City Clerk.
JAS. McCONNELL.....	Treasurer.
JAS. P. WALTON.....	City Engineer.
ISRAEL PUTNAM.....	Cemetery Trustee.

Board of Education.—H. W. HARDY.

JOHN H. AMES.

Councilmen.—First ward, JOHN MONTIETH.

Second ward, L. W. BILLINGSLEY.

Third ward, C. M. LEIGHTON, long term.

Third ward, E. W. MORGAN, short term.

L. W. BILLINGSLEY.....Pres. Council.

T. P. QUICK.....Chief Fire Dept.

OFFICERS FOR 1877.

Officers of the city of Lincoln from April 15, 1877, to April 15, 1878:

HON. H. W. HARDY.....	Mayor.
R. C. MANLEY.....	City Clerk.
JAS. McCONNELL.....	Treasurer.
THOS. CARR.....	Marshal.
J. S. DALES, to fill vacancy.....	Police Judge.
J. P. WALTON.....	City Engineer.

Board of Education.—O. W. WEBSTER.

LEWIS GREGORY.

J. J. TURNER.....Cemetery Trustee.

Councilman.—First ward, JAMES LEDWITH.

Second ward, RUFUS YARD.

Second ward, JOHN B. WRIGHT, elected to fill vacancy, September 22, 1877.

Third ward, J. K. HONEYWELL.

L. W. BILLINGSLEY.....Pres. Council.

G. ENSIGN, appointed to fill vacancy April 21, 1877.

T. P. QUICK.....Chief Fire Dept.

OFFICERS FOR 1878.

Officers of the city of Lincoln from April 15, 1878, to April 15, 1879:

HON. H. W. HARDY.....	Mayor.
JAS. McCONNELL.....	Treasurer.
THOS. CARR.....	Marshal.
J. S. DALES, two years.....	Police Judge.
R. W. JACOBS.....	City Clerk.
J. P. WALTON.....	City Engineer.

Board of Education.—H. D. HATHAWAY, two years.

C. O. WHEDON, two years.

A. M. DAVIS.....Cemetery Trustee.

Councilman.—First ward, JAMES H. DAILEY.

Second ward, R. P. R. MILLAR.

Third ward, AUSTIN HUMPHREY.

JAS. LEDWITH.....Pres. Council.

ISAAC M. RAYMOND.....Chief Fire Dept.

OFFICERS FOR 1879.

S. B. GALEY.....	Mayor.
MYRON NELSON	Clerk.
D. B. CROSEY	Treasurer.
I. L. LYMAN	Marshal.
E. J. CARTLEDGE.....	Engineer.
J. S. DALES	Police Judge.
T. P. QUICK.....	Chief Fire Dept.

School Board.—LEWIS GREGORY, three years.

O. W. WEBSTER, three years.

I. PUTNAM.....Cemetery Trustee.

Councilmen.—First ward, JAMES LEDWITH, two years.

Second ward, J. B. WRIGHT, two years.

Third ward, J. K. HONEYWELL.

OFFICERS ELECTED 1880.

JOHN B. WRIGHT.....	Mayor.
R. C. MANLEY	Clerk.
J. S. DALES	Police Judge.
D. B. CROSEY	Treasurer.
J. P. WALTON	Engineer.
J. J. TURNER.....	Cemetery Trustee.

Councilmen.—First ward, JOSEPH HUNTER, one year.

First ward, JAMES LEDWITH, held over to fill vacancy.

First ward, R. GRIMES, two years.

Second ward, J. L. CALDWELL, one year.

Second ward, F. W. KRONE, two years.

Third ward, H. J. WALSH, one year.

Third ward, JOHN DOOLITTLE, two years.

School Board.—J. R. WEBSTER, three years.

GUY A. BROWN, three years.

I. L. LYMAN.....Marshal.

T. P. QUICK.....Chief Fire Dept.

OFFICERS ELECTED 1881.

J. B. WRIGHT	Mayor.
R. C. MANLEY	Clerk.
A. C. CASS	Treasurer.
N. S. SCOTT	Engineer.
J. S. DALES	Police Judge.

L. J. BYER, long term.....Cemetery Trustee.

A. M. DAVIS, to fill vacancy.....Cemetery Trustee.

Councilmen.—First ward, C. C. MUNSON.

Second ward, S. B. LINDERMAN.

Third ward, J. H. HARLEY.

School Board.—GUY A. BROWN.

J. R. WEBSTER.

P. S. SHELDON.

JACOB NORTH.

E. A. CHURCH.

J. M. BURKS.

N. C. ABBOTT.....City Attorney.

T. P. QUICK.....Chief Fire Dept.

I. L. LYMAN.....Marshal.

OFFICERS ELECTED 1882.

JOHN DOOLITTLE.....Mayor.

R. C. MANLEY Clerk.

A. C. CASS.....Treasurer.

B. F. COBB.....Police Judge.

J. P. WALTON.....Engineer.

Councilmen.—First ward, H. H. SHABERG.

Second ward, F. W. KRONE.

Third ward, C. L. BAUM.

School Board.—J. R. WEBSTER.

W. A. FLETCHER.

L. B. TREEMAN.

L. J. BYER.....Marshal.

A. C. RICKETTS.....City Attorney.

T. P. QUICK.....Chief Fire Dept.

OFFICERS FOR 1883.

R. E. MOORE.....Mayor.

R. C. MANLEY Clerk.

J. T. JONES.....Treasurer.

Councilmen.—First ward, W. C. LANE.

Second ward, S. B. LINDERMAN.

Third ward, CHARLES WEST; A. S. RAYMOND,
to fill vacancy.

Fourth ward, W. J. COOPER.

Fourth ward, J. H. HARLEY.

A. C. RICKETTS.....	City Attorney.
I. L. LYMAN.....	Chief Fire Dept.
L. J. BYER.....	Marshal.
LEWIS GREGORY.....	Cemetery Trustee.
<i>School Board.</i> —A. C. RICKETTS.	
HENRY BRUGMANN.	
C. G. BULLOCK.	
J. P. WALTON.....	Engineer.
L. J. BYER.....	St. Commissioner.

OFFICERS FOR 1884.

M. MONTGOMERY.....	Police Judge.
H. J. WALSH.....	Cemetery Trustee.
<i>Councilmen.</i> —First ward, N. C. BROCK.	
Second ward, H. P. LAU.	
Third ward, J. W. WINGER, resigned; C. M. LEIGHTON, to fill vacancy.	
Fourth ward, J. R. WEBSTER.	
<i>School Board.</i> —JACOB NORTH.	
L. B. TREEMAN.	
LEWIS GREGORY.	
L. J. BYER, resigned..	Marshal.
C. B. BEACH, to fill vacancy.....	Marshal.
GEO. P. TUCKER....	Water Commr.

OFFICERS FOR 1885.

C. C. BURR.....	Mayor.
R. C. MANLEY.....	Clerk.
JNO. T. JONES.....	Treasurer.
M. MONTGOMERY.....	Police Judge.
A. M. DAVIS	Cemetery Trustee.
I. L. LYMAN.....	Water Commr.
N. S. SCOTT.....	Engineer.
T. P. QUICK.....	Chief Fire Dept.
A. W. FIELD.....	Attorney.
<i>Councilmen.</i> —First ward, J. H. DAILEY.	
Second ward, L. W. BILLINGSLEY.	
Third ward, A. E. HARGREAVES, two years.	
Third ward, H. H. DEAN, one year.	
Fourth ward, W. J. COOPER.	
<i>School Board.</i> —M. B. CHENEY.	
A. C. RICKETTS.	
C. B. BEACH.....	Marshal.

OFFICERS FOR 1886.

ALBERT F. PARSONS.....	Police Judge.
LEWIS GREGORY.....	Cemetery Trustee.
I. L. LYMAN.....	Water Commr.
N. S. SCOTT.....	Engineer.
T. P. QUICK.....	Chief Fire Dept.

Councilmen.—First ward, NELSON C. BROCK.
 Second ward, JOHN FRAAS.
 Third ward, H. H. DEAN.
 Fourth ward, ROBERT B. GRAHAM.

School Board.—H. H. SHABERG.
 E. H. CHAPIN.

C. B. BEACH.....	Marshal.
L. J. BYER.....	St. Commissioner.

OFFICERS ELECTED FOR 1887.

A. J. SAWYER.....	Mayor.
R. C. MANLEY.....	Clerk.
J. T. JONES.....	Treasurer.
H. J. WHITMORE, to fill vacancy.....	Police Judge.
L. J. BYER.....	Cemetery Trustee.
I. L. LYMAN.....	Water Commr.
O. N. GARDNER.....	Engineer.
W. H. NEWBURY.....	Chief Fire Dept.
C. A. ATKINSON.....	Attorney.

Councilmen.—First ward, JAMES H. DAILEY.
 Second ward, L. W. BILLINGSLEY.
 Third ward, J. M. BURKS.
 Fourth ward, W. J. COOPER.
 Fifth ward, J. Z. BRISCOE, one year.
 Fifth ward, GRAN. ENSIGN, two years.
 Sixth ward, FRED A. HOVEY, one year.
 Sixth ward, L. C. PACE, two years.

School Board.—LEWIS GREGORY, three years.
 MISS PHEBE ELLIOTT, three years.
 F. D. REEVES, two years.
 W. Q. BELL, two years.
 S. D. COX, one year.

P. H. COOPER.....	Marshal
THOMAS HEELAN.....	Street Commr.

OFFICERS ELECTED FOR 1888.

A. J. SAWYER	Mayor.
R. C. MANLEY.....	Clerk.
JOHN T. JONES.....	Treasurer.
WILLIAM J. HOUSTON.....	Police Judge.
A. M. DAVIS.....	Cemetery Trustee.
I. L. LYMAN	Water Commr.
O. N. GARDNER.....	Engineer.
W. H. NEWBURY.....	Chief Fire Dept.
G. M. LAMBERTSON.....	Attorney.

Councilmen.—First ward, A. HALTER.
 Second ward, JOHN FRAAS.
 Third ward, H. H. DEAN.
 Fourth ward, R. B. GRAHAM.
 Fifth ward, LOUIE MEYER.
 Sixth ward, H. M. RICE.

School Board.—W. J. MARSHALL.
 J. A. WALLINGFORD.
 S. D. COX.

P. H. COOPER..... Marshal.
 THOMAS HEELAN..... Street Commr.

ORGANIZATION OF THE CITY OF LINCOLN AS A CITY OF THE FIRST CLASS HAVING LESS THAN SIXTY THOUSAND INHABITANTS.

[UNDER THE ACT OF 1887.]

THE MAYOR'S CERTIFICATE.

*To His Excellency, Hon. John M. Thayer, Governor of the State
of Nebraska :*

Pursuant to the provisions of section two of an act of the Legislature of the state of Nebraska, entitled, "An act to incorporate cities of the first class having less than 60,000 inhabitants, and regulating their duties, powers, and government," approved March 25, 1887, I, C. C. Burr, Mayor of the city of Lincoln, in the county of Lancaster, and state of Nebraska, do hereby certify that on the 21st day of June, A. D. 1886, the city of Lincoln, in the county and state aforesaid, had

a population of 29,030 inhabitants, according to a census of said city taken under and by virtue of an ordinance of said city approved May 18, A. D. 1886, and that since said date said population has largely increased, so that on the date hereof the city of Lincoln aforesaid has inhabitants within its limits of not less than 40,000 people.

I have the honor, therefore, to respectfully request that Your Excellency will, by public proclamation, as provided by section two of the act above referred to, declare the said city of Lincoln to be a city of the first class under the provisions of said act.

In witness whereof I have hereunto set my hand and
[SEAL.] caused to be affixed the seal of the city of Lincoln,
this 25th day of March, A. D. 1887.

C. C. BURR, *Mayor*.

ATTEST: R. C. MANLEY, *City Clerk*.

PROCLAMATION.

WHEREAS, A certificate has this day been filed in the executive office by the Mayor of the city of Lincoln, in the state of Nebraska, wherein it is certified that said city of Lincoln contains a population of 29,030 inhabitants, as shown by the census of said city taken in June, 1886, and that the population of said city has largely increased since said date, and is now estimated at not less than 40,000 inhabitants:

Therefore, In accordance with section two of an act entitled "An act to incorporate cities of the first class having less than 60,000 inhabitants, and regulating their duties, powers, and government," approved March 25, 1887, I, John M. Thayer, Governor of the state of Nebraska, do hereby issue my proclamation, and declare said city of Lincoln a city of the first class, and subject to all the provisions of said act.

In testimony whereof I have hereunto set my hand and
[SEAL.] caused to be affixed the great seal of the state of
Nebraska.

Done at Lincoln, this 25th day of March, A.
D. 1887.

BY THE GOVERNOR:

JOHN M. THAYER.

G. L. LAWS, *Secretary of State*.

CITY OFFICERS, 1889.

ELECTIVE OFFICERS.

R. B. GRAHAM Mayor.
 ELMER B. STEPHENSON City Treasurer.
 D. C. VAN DUYN City Clerk.

Excise Board.—R. B. GRAHAM, President.
 C. J. DAUBACH.
 JOHN DOOLITTLE.

Cemetery Trustees.—L. J. BYER, President.
 A. M. DAVIS, Treasurer.
 A. G. HASTINGS, Secretary.

Councilmen.—First ward, P. HAYDEN.
 First ward, A. HALTER.
 Second ward, J. C. SALSBERY.
 Second ward, JOHN FRAAS.
 Third ward, H. H. DEAN, President of Council.
 Third ward, WILLIAM McLAUGHLIN.
 Fourth ward, F. A. BOEHMER.
 Fourth ward, W. S. HAMILTON.
 Fifth ward, L. MEYER.
 Fifth ward, H. M. BUSHNELL.
 Sixth ward, L. C. PACE.
 Sixth ward, H. M. RICE.

Board of Education.—J. A. WALLINGFORD, President.
 W. W. W. JONES.
 LEWIS GREGORY.
 MISS PHOEBE ELLIOTT.
 A. G. GREENLEE.
 O. E. GOODELL.
 W. A. LINDLEY.
 S. D. COX.
 W. J. MARSHALL.

APPOINTIVE OFFICERS.

G. M. LAMBERTSON City Attorney.
 O. N. GARDNER City Engineer.

I. L. LYMAN	Water Commissioner.
L. J. BYER.....	Street Commissioner.
W. H. NEWBURY	Chief Fire Department.
W. C. RHODE.....	Inspector Meats and Live Stock.
W. W. CARDER.....	City Marshal.

Board of Public Works.—A. HUMPHREY, Chairman.
M. B. CHENEY.
J. H. MILLER.

Board of Public Works.—Appointed, June, 1889.
A. HUMPHREY, Chairman.
W. J. MARSHALL.
R. C. MANLEY.

A. M. BARTRAM.....	Health Officer.
V. H. DYER.....	Sewer Inspector.
EUGENE J. FLAHERTY.....	{ Gas Inspector. Sealer of Weights and Measures.

CITY OFFICERS, 1890.

R. B. GRAHAM.....	Mayor.
E. B. STEPHENSON.....	Treasurer.
D. C. VAN DUYN.....	Clerk.
W. J. HOUSTON.....	Police Judge.

Excise Board.—R. B. GRAHAM, President.
C. J. DAUBACH.
JOHN DOOLITTLE.

Cemetery Trustees.—L. J. BYER.
A. M. DAVIS.
A. G. HASTINGS.

Councilmen.—First ward, ALEXIS HALTER.
Second ward, HENRY VEITH.
Third ward, JOS. BURNS.
Fourth ward, J. B. ARCHIBALD.
Fifth ward, S. S. ROYCE.
Sixth ward, H. M. RICE.
Seventh ward, G. A. BUSH.
Seventh ward, H. W. ORR.
L. C. PACE, President of the Council.

School Board.—C. W. WICKERSHAM.
S. J. KENT.
J. H. EDSON.

E. P. HOLMES.....	City Attorney.
O. N. GARDNER.....	City Engineer.
I. L. LYMAN.....	Water Commissioner.
L. J. BYER.....	Street Commissioner.
W. H. NEWBURY.....	Chief Fire Department.
V. C. ROHDE.....	Inspector Meats and Live Stock.
M. MELICK.....	Marshal.

Board of Public Works.—W. J. MARSHALL.
R. C. MANLEY.
S. McCONIGA.

Health Officer.—A. M. BARTRAM.

CITY OFFICERS, 1891.

A. H. WEIR.....Mayor.
 E. B. STEPHENSON.....Treasurer.
 D. C. VAN DUYN.....Clerk.
 W. J. HOUSTON.....Police Judge.

Excise Board.—A. H. WEIR, President.
 JAMES KELLY.
 JOHN DOOLITTLE.

Cemetery Trustee.—L. J. BYER.
 A. M. DAVIS.
 A. G. HASTINGS.

Councilmen.—First ward, J. A. O'SHEA.
 Second ward, JOS. WITTMANN.
 Third ward, G. B. CHAPMAN.
 Fourth ward, F. A. BOEHMER.
 Fifth ward, R. P. R. MILLAR.
 Sixth ward, GEO. K. BROWN.
 Seventh ward, F. C. SMITH.
 F. A. BOEHMER, President of the Council.

School Board.—PHEBE ELLIOTT.
 J. STUART DALES.
 SUSAN C. O. UPTON.

A. W. SCOTT.....City Attorney.
 G. A. ADAMS.....Deputy City Attorney.
 ADNA DOBSON.....City Engineer.
 C. G. BULLOCK.....Water Commissioner.
 S. S. MCKENNEY.....Street Commissioner.
 W. H. NEWBURY.....Chief Fire Department.
 W. C. ROHDE.....Inspector Meats and Live Stock.
 O. P. DINGES.....Marshal.

Board of Public Works.—L. E. HICKS.
 E. KERN.
 S. McCONIGA.

Health Officer.—A. M. BARTRAM.

CITY OFFICERS, 1892.

A. H. WEIR.....	Mayor.
E. B. STEPHENSON.....	Treasurer.
N. C. ABBOTT.. ..	Attorney.
D. C. VAN DUYN.....	Clerk.
F. R. WATERS.....	Police Judge.
ADNA DOBSON.....	City Engineer.
J. W. PERCIVAL.....	Water Commissioner.

Excise Board.—A. H. WEIR, President.

JAMES KELLY.

JOHN DOOLITTLE.

Cemetery Trustee.—A. G. HASTINGS.

Councilmen.—First ward, J. H. DAILEY.

Second ward, HENRY VEITH.

Third ward, F. A. GRAHAM.

Fourth ward, O. W. WEBSTER.

Fifth ward, D. W. MOSELEY.

Sixth ward, E. L. HOLYOKE.

Seventh ward, H. H. MEYER.

GEORGE K. BROWN, President of the Council.

S. S. MCKENNEY.....Street Commissioner.

ROBERT MALONE.....Chief Fire Department.

W. C. ROHDE.....Inspector Meats and Live Stock.

LOUIS OTTO.....Marshal.

Board of Public Works.—L. E. HICKS.

S. McCONIGA.

O. P. DINGES.

School Board.—H. S. BOWERS.

O. V. EATON.

LEWIS GREGORY.

F. E. LEWIS.

Health Officer—A. M. BARTRAM.

CITY OFFICERS, 1893.

A. H. WEIR.....	Mayor.
E. B. STEPHENSON	Treasurer.
J. W. BOWEN.....	Clerk.
ADNA DOBSON.....	Engineer.
N. C. ABBOTT.....	Attorney.
W. A. SELLECK.....	Deputy Attorney.
J. W. PERCIVAL.....	Water Commissioner.
F. R. WATERS.....	Police Judge.

Excise Board.—A. H. WEIR, President.

A. D. BURR.

F. W. BROWN.

Cemetery Trustee.—L. J. BYER.

Councilmen.—First ward, J. A. O'SHEE.

Second ward, J. D. PARKER.

Third ward, R. S. YOUNG.

Fourth ward, C. J. ROMAN.

Fifth ward, L. P. YOUNG.

Sixth ward, GEO. J. WOODS.

Seventh ward, F. C. SMITH.

———, President of the Council.

S. S. McKENNEY.....Street Commissioner.

ROBERT MALONE.....Chief Fire Department.

P. H. COOPER.....Marshal.

Board of Public Works.—L. E. HICKS.

O. P. DINGES.

W. E. KIRKER.

School Board.—N. C. BROCK.

C. J. ERNST.

L. FOSSLER.

Health Officer.—A. M. BARTRAM.

CITY OFFICERS, 1894.

A. H. WEIR.....	Mayor.
N. C. ABBOTT.....	Attorney.
W. A. SELLECK.....	Deputy Attorney.
E. B. STEPHENSON.....	Treasurer.
J. W. BOWEN.....	Clerk.
ADNA DOBSON.....	Engineer.
F. R. WATERS.....	Police Judge.
J. W. PERCIVAL.....	Water Commissioner.
JOHN FAWELL.....	Cemetery Trustee.

Councilmen.—First ward, JAMES DAILEY.
 Second ward, WILLIAM LAWLOR.
 Third ward, F. A. GRAHAM.
 Fourth ward, O. W. WEBSTER.
 Fifth ward, BARR PARKER.
 Sixth ward, H. B. SAWYER.
 Seventh ward, H. H. MEYER.
 GEORGE J. WOODS, President of the Council.

Excise Board.—A. H. WEIR, President.
 A. D. BURR.
 F. W. BROWN.

Board of Public Works.—O. P. DINGES, Chairman.
 W. E. KIRKER.

Board of Education.—W. A. HACKNEY.
 L. P. LUDDEN.
 J. C. STIRE.

S. S. MCKENNEY.....	Street Commissioner.
M. R. BEMAN.....	Assistant Street Commissioner.
ROBERT MALONE.....	Chief Fire Department.
P. H. COOPER.....	Marshal.
JAMES MALONE.....	City Detective.
MART HOWE.....	Health Officer.

CITY OFFICERS, 1895.

F. A. GRAHAM	Mayor.
N. C. ABBOTT.....	Attorney.
W. S. HAMILTON	Deputy Attorney.
M. I. AITKEN.....	Treasurer.
J. W. BOWEN	Clerk.
ADNA DOBSON.....	Engineer.
F. R. WATERS	Police Judge.
J. W. PERCIVAL.....	Water Commissioner.
R. H. OAKLEY	Cemetery Trustee.

Councilmen.—First ward, THOMAS DRAPER.
 Second ward, J. D. PARKER,
 Third ward, { R. S. YOUNG,
 { H. K. KERMEN.
 Fourth ward, A. H. HUTTON.
 Fifth ward, JOHN GIESLER.
 Sixth ward, E. R. GUTHRIE.
 Seventh ward, H. D. EWAN.
 O. W. WEBSTER, President of the Council.

Excise Board.—F. A. GRAHAM, President.
 H. B. VAILL.
 R. S. GRIMES.

Board of Public Works.—

Board of Education.—A. W. FIELD.
 O. V. EATON.
 C. W. SPEAR.

L. L. LINDSAY	Street Commissioner.
GUSTAV C. BRINKMAN	Assistant Street Commissioner.
ROBERT MALONE	Chief Fire Department.
S. M. MELICK.....	Marshal.
A. C. LANGDON.....	City Detective.
THOMAS SMITH	Health Officer.
WILLIAM ROHDE	Health Officer, to fill vacancy.

APPENDIX.

RULE 1.—*Organization.*—The Mayor shall be President of and the City Clerk shall be Clerk of said Board. The Board shall elect a president *pro tem.*, who shall act in the absence of the President. A majority of the board shall constitute a quorum.

RULE 2. Said board shall hold a public session at the council chamber in the city of Lincoln on the second Monday of each month. Special meetings may be held at any time at the call of the chairman or of any two members.

RULE 3. Any person who may wish to obtain a license to sell malt, spirituous, vinous, or intoxicating liquors in the said city of Lincoln shall file with the clerk of the Excise Board a written application therefor, stating therein the full name or names of the applicant or applicants and place where it is proposed to sell such liquors, and a full and accurate description of the room wherein it is proposed to sell such liquors, with the location of the bar therein, and also a petition signed by at least thirty resident freeholders of the ward wherein the sale of such liquors is to take place, together with the bond in the penal sum of five thousand dollars, payable to the state of Nebraska, executed by the principal thereof, with at least two good and sufficient sureties, resident and freeholders of the county of Lancaster, to be approved by said board, conditioned that the applicant will not violate any of the provisions of the statutes of the state of Nebraska, or any of the rules and regulations adopted or to be adopted by the Excise Board of said city, or any of the ordinances of said city pertaining to said business, and that said applicants will pay all damages, fines, penalties, and forfeitures which may be adjudged against the same under the provisions of the statutes of the said city and the rules of this board.

RULE 4. Before the petition or bond, as provided in rule three hereof, shall be filed with the clerk, the applicant shall be required to procure a certificate of the Register of Deeds of the county of Lancaster, to be indorsed on said petition, certifying

that each of the persons signing the same is a resident and freeholder within the ward where the sale of such liquors is to take place; also a like certificate that the sureties on said bond are residents of the county of Lancaster. The same person will not be accepted as surety on more than one such bond.

RULE 5. After the filing of said application, petition, and bond, as provided in rule three hereof, the applicant shall cause notice thereof to be published in the newspaper published in the said county of Lancaster having the largest circulation therein, for at least two weeks, and said board will not take action on said application, petition, or bond until after said notice has been given. Proof of such publication, together with an affidavit of the publisher or manager of the paper in which such publication is made, shall be filed with the clerk and made a part of the records of said office. After the completion of said publication and filing the proof as herein provided, if there be no objection, protest, or remonstrance in writing made and filed with said clerk to the issuance of a license to such applicant, and all other provisions of the statutes of said state and the rules of this board have been complied with, such license may be granted or denied, as said board may determine.

RULE 6. If there is any objection, protest, or remonstrance filed with said clerk against the issuance of said license, the board will appoint a time for the hearing of said application, objection, protest, or remonstrance, and notice thereof shall be given to the applicant, and at least one of the persons signing such objection, protest, or remonstrance, or their attorney. For good cause shown the said board may continue the hearing upon such application, objection, protest, or remonstrance, from time to time as said board may order. The testimony on such hearing shall be reduced to writing and filed with said clerk. If it shall be satisfactorily proven that the applicant has been guilty of the violation of any of the provisions of the statutes of the state of Nebraska, any rule of the Excise Board, or any ordinance governing the traffic in liquors, within the space of one year prior to the filing of said application, or if any former license shall have been revoked for any reason, then it shall be the duty of and this board will refuse such application.

RULE 7. On the hearing of any such application, objection, protest, or remonstrance, any person interested shall have all necessary process to compel the attendance of witnesses, and all witnesses may be compelled to testify. All witnesses shall be

entitled to the same compensation as is now provided by law in the district courts of said state, to be paid by the party calling the same.

RULE 8. No license will be issued to a non-resident of the county, a minor, a corporation, a person as agent, trustee, or other fiduciary capacity, or a partnership, but may be issued to more than one person, in which event the license will run in the names of the several persons. Before license is authorized the applicant or applicants shall personally appear before the board, unless the board shall at the time direct otherwise.

RULE 9. The applicant, or some one of them, shall be the manager and have control of the business authorized by such license. If the applicant, or all the applicants, after the issue of the license, shall become non-residents of the county of Lancaster, the board shall be, and hereby is, authorized to revoke such license; but no such license shall be revoked without first notifying such licensee by service thereof on any servant or agent in control of such business.

RULE 10. If the applicant signing the objection, protest, or remonstrance shall feel aggrieved by the decision of the board, appeal therefrom may be taken to the District Court of said county as provided by law. Notice of such appeal will be given within twenty-four hours after the decision is made, and the appeal shall be effected without unnecessary delay. In case such notice is given and appeal taken, the clerk shall at once transmit the testimony and papers in the case to the Clerk of the District Court, and the filing thereof shall constitute such appeal. No action shall be taken by the board in such case for twenty-four hours after the decision has been rendered; and if the notice of appeal shall be filed as hereby provided, then no action will be taken by this board until such appeal is finally determined.

RULE 11. No license shall be ordered except upon the order of a majority of the Excise Board, and before any license shall be issued the applicant shall pay into the city treasury the sum of one thousand dollars and shall file the Treasurer's receipt therefor with the clerk of this board, whereupon said clerk shall issue a license to such applicant, which license shall continue in force from the date thereof until the end of the current municipal year in which the same is issued, unless sooner revoked as herein by law provided.

RULE 12. Such license shall be signed by the City Clerk and attested by the seal of the city of Lincoln; and it shall state the

time for which granted, the place where the liquor is to be sold, and shall not be transferable. Any license granted by this board shall be revoked whenever the person licensed shall be convicted of violation of any of the provisions of chapter thirty (30) of the Compiled Statutes of Nebraska, 1893, or of any law, ordinance, rule, or regulation pertaining to the sale of any such liquors, and proceedings in error or appeal taken to review the judgment or decision of any court shall in nowise affect or prevent the revocation of such license.

RULE 13. Such license shall be in the following form as near as practicable:

STATE OF NEBRASKA, LANCASTER COUNTY, }
CITY OF LINCOLN. } ss.

To all who shall see these presents, know ye:

That, having filed his petition according to law, and paid into the treasury of said city of Lincoln the sum of one thousand dollars, imposed upon him as a vendor of malt, spirituous, or vinous liquors, therefore the said is, by order of the Excise Board of said city, hereby authorized to sell malt, spirituous, or vinous liquors at No. street, in the city of Lincoln, from the date hereof until the hour fixed by the Excise Board for the closing of places for vending such liquors on the Monday night preceding the second Tuesday in April, 189...

In testimony whereof, I, ..., Clerk of the city of Lincoln, have hereunto set my hand and affixed the seal of said city, this day of, A. D. 189...

....., *City Clerk.*

RULE 14. It shall be unlawful for any licensed saloon-keeper, whether by himself, clerk, or servant, to keep his place of business open on the day of any general or special election held in said city of Lincoln; or between the hours of 11:30 P. M. on any day and 6:30 A. M., central standard time, on the following morning; or between the hours of 11:30 on each Saturday and 6:30 A. M., central standard time, on the following Monday, except during the days of the state fair as the same is in session in said city of Lincoln, on which days the licensee is authorized to keep his place of business open until 12 o'clock, midnight, on each week day; and it shall be unlawful for any licensee to vend, sell, or give away any malt, spirituous, or vinous liquors under his license within the hours which the place of business of such licensee is herein required to be closed.

RULE 15. It shall be unlawful for any licensed saloon-keeper to permit the premises wherein he is licensed to sell liquor to be in any manner or form connected with any room or rooms wherein or connected with which any prostitution or lewd practices are indulged in or permitted; or wherein any prostitutes are permitted to visit for any purpose; or wherein any women are permitted for any unlawful purpose. Under this rule any room or rooms into or from which there shall be any means of entrance or communication with the place of business of such licensee, whether that entrance or communication be by stairway, elevator, speaking tubes, electric apparatus, or other means of communication, shall be deemed connected with the place of business of the licensee, whether such rooms are under control of such licensee or not.

RULE 16. It shall be unlawful for any licensed saloon-keeper to have or maintain any wine room or card room or rooms in or connected with his place of business in any way for women to enter for any purpose whatever, and there shall be no enclosures of any kind or character in which persons can secrete themselves from public view from the front or any part of said saloon; the intent of this rule being that the saloon business shall be conducted in one room, without subdivisions of any kind or character. No licensed saloon-keeper shall sell or give away any liquor to any woman in any other room or rooms connected in any way with his place of business.

RULE 17. It shall be unlawful for any licensed saloon-keeper to permit minors, male or female, Indians, idiots, habitual drunkards or insane persons to be or remain in or about his place of business.

RULE 18. It shall be unlawful for any licensed saloon-keeper to permit prostitutes to be in or visit the room or rooms wherein such license is granted to sell liquor, or in any room or rooms connected therewith; or to sell any liquor of any kind whatever to prostitutes to be drunk on the premises; to permit any prostitution or lewd or indecent practices to take place or be indulged in or on the premises for which the license is granted, or in any way connected therewith, over which the licensee has any control.

RULE 19. It shall be unlawful for any licensed saloon-keeper, after the granting of such license, to change the location of the bar, if there is any; put in or take out any partitions in the room or rooms described in the application, and for which license

is granted, or make any changes in the manner of ingress or egress to the room or rooms for which the license is granted; make any change in the location of the windows or doors in his place of business; or sell liquor under such license at any other place than that for which the license was granted, without first making application to and getting the consent of the Excise Board, and each twenty-four hours' continued violation of this rule shall be deemed a new offense and the licensee punished therefor.

RULE 20. It shall be unlawful for any licensed saloon-keeper to allow or permit any gambling or gaming in any room, cabin, or subdivision of any room, in or connected with the room in which liquor is kept, or in any other place, cellar, outhouse, or other place over which the licensee shall have any control or authority; or to allow the view through windows or doors of his place of business to be obstructed by screens, blinds, paint, partition, or other article.

RULE 21. It shall be unlawful for any licensed saloon-keeper, whether by himself, clerk, or servant, to permit any one to remain in the saloon after the hour of closing. But at 11:30 o'clock P. M., and at all other times when the saloon should be closed, shall require all persons to at once vacate the premises and see that the doors are securely closed and locked.

RULE 22. It shall be unlawful for any licensed saloon-keeper to transfer the exclusive management of such business to another, by contract of agency or otherwise, without first making application therefor to this board, and being authorized so to do. Any such attempt without the authority aforesaid shall be deemed a transfer of the license and void.

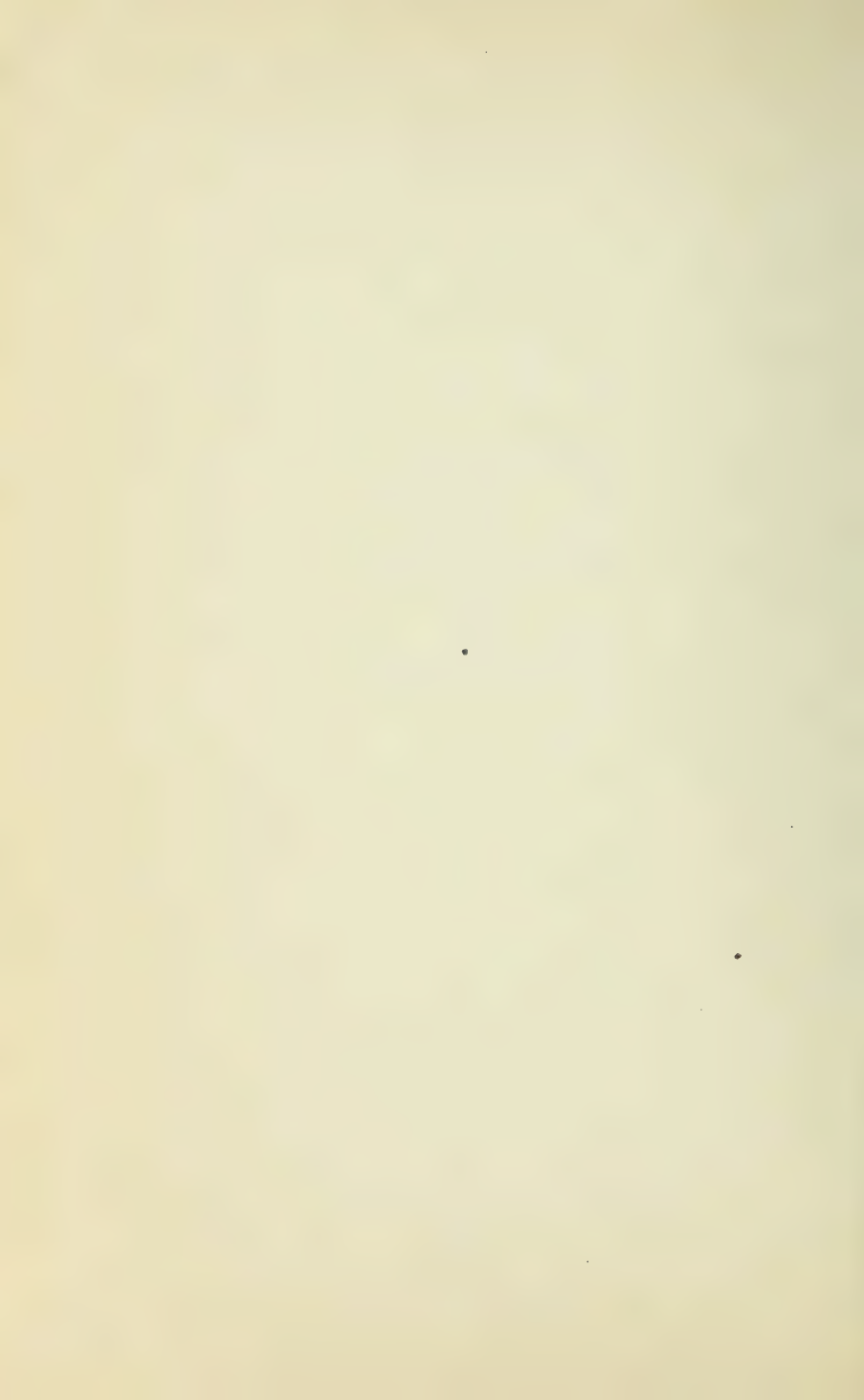
RULE 23. Any licensee, by himself, agent, servant, or other employe, or the agent, servant, or other employe of such licensee, who shall violate or fail to perform any of the provisions of these rules shall, upon conviction thereof, be fined in any sum not to exceed one hundred dollars, and stand committed until such fine and costs are paid.

RULE 24. That all rules heretofore adopted by the board be and the same are hereby repealed, and these rules shall take effect and be in force from and after their passage and publication according to law.

RULE 25. Any resident of the city may file with clerk of the Excise Board a complaint in writing, duly sworn to, against any licensee charging such licensee with the violation of any statute

of the state of Nebraska, ordinance of the city of Lincoln, or rule of the Excise Board pertaining to the selling or giving away of malt, spirituous, or vinous liquors, stating therein the time and place and nature of such violation. Upon the filing thereof the board shall fix a time for the hearing of such complaint and cause the clerk of said board to notify the licensee against whom such complaint is made. The chairman of said board shall issue any and all subpoenas for witnesses that either party may desire, and it shall be the duty of Chief of Police, or any police officer of the city, or such person as the board may appoint, to serve any and all subpoenas. The party calling in witnesses shall be liable for and pay the witness fees as provided by law. If upon hearing the Excise Board should find that such complaint is true, said board shall then order and direct that the license theretofore issued to such licensee shall be revoked, and the said licensee shall not thereafter be authorized to sell or give away liquors under such license.

INDEX.



INDEX.

References are made to paragraph numbers preceding original section numbers.

ACCIDENTS—

PARAGRAPH

Duties of policemen regarding	550
Duties of Chief of Police regarding	551, 552, 553
Duties of City Physician.....	551
Form for reports.....	552
Powers of City Attorney	553

ADDITIONS—

How made to city.....	19, 554
Subdivisions, how made.....	555
Plat filed with Clerk.....	556
Submit plan to Council	556
Council may replat.....	556
Plat must be approved	19
Plat unlawful, when.....	557
Sale unlawful, when	558
Violations, punishments for	559

ADVERTISEMENT—

In daily paper.....	42, 49
Irregularity not to affect lien of assessment	74

ALLEYS—

Authority to grade, improve, vacate, etc.....	144
Compel owners of additions to conform to.	17, 554
Authority for paving.....	144
Contracts for.....	145
See streets.....	19

AMENDMENTS—

To ordinances.....	56
--------------------	----

AMUSEMENTS—

Classification of.....	560
License.....	564
Same, subject to ordinance.....	571, 575
Same, fee for.....	565
Same, by whom issued.....	566

AMUSEMENTS—*Concluded.*

PARAGRAPH

Same, violation of.....	572
Classification, determined by.....	567
Theaters, licenses for.....	568, 569
Entertainments defined.....	570
Gift enterprise prohibited.....	572
Concert saloons prohibited.....	573
Penalty for violation.....	573
Certificate posted.....	574
Destroy bills, posters, etc., unlawful.....	576
Sale of liquors in theaters prohibited.....	577
Aisles kept clear.....	578
Same, duties of police.....	582
Doors swung outward.....	579
Loitering around theaters prohibited.....	580
Duties of owners.....	581
Violation.....	583

ANIMALS—

Cruelty to.....	92
Domestic, running at large.....	125

ANNUAL APPROPRIATION BILL—

Estimate for.....	53, 54
Must be made, when.....	54
No other appropriations allowed.....	53
Exceptions.....	53
What must contain.....	53
Where published.....	54
Expenditures limited to amount provided.....	55

APPEALS—

From allowance of claim.....	49
Bond.....	49
No bond if city appeal.....	49
Warrant not to issue.....	49
Costs of, on affirmation.....	49
Notice of.....	49
From Police Judge.....	172
From Council.....	184

APPROPRIATIONS..... 56

AREA WAYS—

Establishing size.....	585, 586
When may be left uncovered.....	587
When iron gratings.....	587
Plans approved by Street Commissioner.....	588

ASSESSMENTS—

PARAGRAPH

Irregularity, not to invalidate.....	74
Same, relevy	75

A. & N. RY. CO. FRANCHISE—

See "RAILROADS."

AUCTIONS AND AUCTIONEERS—

Authority to regulate	127
Permit for.....	590, 591, 592
Same, sales without prohibited.....	591, 602
Revoking permit	593
Bond	592
Application for permit	593
Purchaser right to return.....	595
Duties of auctioneers.....	594, 595, 597, 598
Forfeiture of permit	595, 596, 597, 598
Substituting article.....	596
Mock auctions, prohibited.....	597
Clerk, list of filed	598
Same, provisions apply to.....	599
Death of partner, rights preserved	600
Special permits	601
Violations, penalty	603

AWNINGS..... 1285

BARBED WIRE FENCE—

Prohibited.....	604
Same, removal of	605
Violation, penalty	606

BILLIARD AND BALL ALLEYS—

License for.....	607, 608
Application for.....	608
Issuance of.....	609
Bond.....	609
Disorderly conduct in, prohibited	610
Time of opening and closing.....	610

BILL OF EXCEPTIONS—

What contain.....	173
Judge must sign.....	173

BIRTHS—

Registry of.....	611
Duties of physicians, midwives, and others.	611
Reports of, regarding.. ..	612
Neglect of, penalty.....	613

BOARD OF EDUCATION—

PARAGRAPH

Election of..... 818

BOARD OF ENGINEERS—

See "STATIONARY ENGINEERS."

BOARD OF EQUALIZATION—

Sessions..... 63

Powers..... 63

Special assessment..... 149

BOARD OF EXCISEMEN—

Rules of..... 1720

BOARD OF HEALTH—

Authority for..... 128

Establishment of..... 453

Jurisdiction..... 451

Meetings..... 453

Powers of..... 454

Employ physician..... 455

Quarantine powers..... 456

Penalty for violating order of..... 456

To order privy vaults cleaned..... 1038

Provide dumping ground for scavenger matter..... 1044

Violation of rules of..... 1056

BOARD OF HOSPITAL COMMISSIONERS..... 140

BOARD OF PUBLIC WORKS—

Establishment and duties of..... 155

Receive bids..... 156

Same..... 407

Duties regarding viaducts..... 83

Appointment of..... 27, 155

Same..... 264

Confirmation of..... 27

Removal of..... 155

Salary of chairman..... 30, 155

Same..... 281

Same of members..... 30

Same..... 281

Resignation, by acceptance of office..... 415

Superintend paving, guttering, etc..... 144

Contracts by..... 407

Same, advertising for..... 409

Requirements by, of contractor..... 407, 411

Same..... 408

BOARD OF PUBLIC WORKS—*Concluded.*

PARAGRAPH

Supervise plans and construction of sewers.....	409
Sewers, advertise for bids.....	409
Book of specifications.....	409
Book of board proceedings.....	409
Book of contracts.....	412
Meetings of.....	410
Notice of meetings.....	410
Quorum.....	410
Attendance of members ..	410
Power to contract.....	155
Duties of chairman ..	155
Same.....	414
Same, absence of.....	413
Temporary vacancy ..	413
Interest in contract prohibited.....	414
Inspectors, appointed by.....	416
Ineligible to other office ..	415
Reports regarding inspectors.....	416

BOND—APPEAL—

From allowance of claim.....	49
Not required if city appeal.....	49
Conditions of.....	49
None required of city.....	49
No official to sign.....	107
From Police Judge.....	172
From Council.....	184

BONDS—

Insurance companies.....	237
Contractors on public buildings.....	211

For special subjects, see that subdivision.

BONDS—FUNDING—

Authority to issue.....	101
Issues of	1450-1475

BONDS—INTERNAL IMPROVEMENT—

Statutory provisions.....	213-221
Interest, statutory provision.....	225
Same.....	162
Sale of.....	162
Redeemable, when.....	162
How paid.....	232
Tax for.....	165
Water repts applied on, for sewerage and water-works.....	165

BONDS—INTERNAL IMPROVEMENT—<i>Concluded.</i>		PARAGRAPH
Hospital	139	
Paving.....	144	
District paving bonds, assessments and orders.....	1478-1517	
Intersection.....	144	
Issues of intersection paving bonds	1518-1525	
Curbing and guttering.....	144	
Sewer, water-works, and parks.....	99, 159	
Issues of.....	1526-1528	
Interest, sale, and redemption.....	162	
Coupons detached.....	212	
Sinking fund.....	102	
Coupons accepted for taxes.....	71	
Outstanding, record by Clerk.....	38	
Water, issues of.....	1530-1546	
Railroad, issues of.....	1559-1563	
BONDS—MUNICIPAL—		
Statutory provisions.....	210	
Issues of.....	1450-1546, 1559-1563	
BONDS—OFFICIAL—		
Councilmen.....	26	
Clerk, Deputy.....	38	
Treasurer.....	39	
Officers may be required to give.....	107	
Members of Board of Public Works.....	155	
Amount of.....	274	
BONDS—REFUNDING—		
Statutory provisions.....	222-224	
BORROWING MONEY—		
For emergency.....	55	
Authority for.....	100	
BREAD—		
Material for.....	614	
How weighed.....	615	
Leaves, weight of.....	615	
Loaves, how stamped.....	617	
Violations, penalty.....	617	
BRIDGE TAXES—		
Especially appropriated.....	53	
BUILDING PERMITS—		
Authority for requiring.....	124	
Application for.....	618	

BUILDING PERMITS—*Concluded.*

PARAGRAPH

By whom granted.....	618
Record of.....	386
Use of street and sidewalk.....	618
Same, permission for.....	618
Fees for permits.....	619
Disposition of fees.....	619
Violations, penalty.....	620
Special permits for corrugated iron buildings.....	741

BUILDINGS—

Power to regulate construction of.....	124
Inspector, appointment of.....	27
Same, qualifications of.....	27
Moving through streets.....	92
Public, eminent domain.....	97, 192
Same, authority to erect.....	110
Same, limitation.....	110
Same, exit and entrance.....	123
Same, fire escape.....	123
Power to erect, public.....	124, 126
Doors to open outward.....	695
Building permits.....	618
How constructed.....	621
Unlawful to repair frame.....	622
Appraisal of damage.....	623
Arbitrators to be sworn, reports.....	624
Unlawful to repair condemned.....	625
When owner neglects to ask for arbitrament.....	626
Removal of condemned building.....	627
Same.....	628
Same, report of.....	629
Sheds, dimensions of.....	630
Shelter sheds.....	631
Circumscribing walls.....	632
Sills and lintels.....	633
Business buildings 14 feet high.....	634
Same, two stories high.....	635
Same, three stories high.....	636
Same, four and five stories high.....	637
Walls in five-story buildings.....	638
Partition walls in business buildings.....	639
Height of stories for given thickness of walls.....	640
Table of thickness of walls in business buildings.....	641
Increasing height of.....	642

BUILDINGS—*Continued.*

PARAGRAPH

Outside walls of theaters, churches, etc.....	643
Buttresses.....	644
Cut stone facings and brick backings.....	645
Party walls.....	646
Domes, mansard roofs, etc.....	647
Slate roofs.....	648
Walls in buildings for business and residence purposes.....	649
Walls in two-story-and-basement dwelling houses.....	650
Same in three-story-and-basement.....	651
Same in more than three-story-and-basement.....	652
Table of thickness of dwelling house walls.....	653
Height of walls above roof in dwelling houses.....	654
Same in business buildings more than two stories high.....	655
Rear walls, terminate flush when, gutters.....	656
Chimneys and flues.....	657
Same in party walls.....	658
Disconnected chimneys.....	659
Footings and foundations.....	660
Headers every seventh course.....	661
Fire flues, walls anchored.....	661
Hollow walls, not bearing walls.....	662
Iron fronts, backing.....	663
Height of wall during construction of building.....	664
Roofs to be incombustible, composition roofs, pitch.....	665
No uncovered tar or woodwork exposed on roof.....	666
Appendages to building defined.....	667
Sky-lights.....	668
Conductors.....	669
Cornices, gutters, eaves, and parapets.....	670
Scuttles, all roofs reached by.....	671
Metallic standpipes, hose-couplings, etc.....	672
Signs.....	673
Piazzas or porches not to be inclosed.....	674
Floor beams, etc., to be kept away from chimneys.....	675
Hearths and fire-places.....	676
Joists and beams, rests.....	677
Joists and girders, dimensions, bridged.....	678
Headers in floor-framers.....	678
Plank, board, and scantling partitions.....	679
Stairways, plastered.....	680
Stairways in factories, etc., incombustible.....	681
Hoistway openings to be protected.....	682
Hoistway openings to have fire-proof shaft.....	683
Doors in elevator shafts.....	684

BUILDINGS—*Continued.*

PARAGRAPH

Elevator openings not having doors.....	685
Open passenger elevators.....	686
Where automatic trap doors are used.....	687
Partitions, when regarded incombustible.....	688
Fire-proof shutters.....	689
Fire escapes.....	690
Penalty for not affixing fire escapes, etc.....	691
Pilasters and columns not to extend beyond line.....	692
Porticos.....	693
Smoke houses, how constructed.....	694
Egress opening; and stairways of theaters.....	695
Stairways in factories, number of.....	696
Vaults for shavings.....	697
Doors and stairways for escape in case of fire.....	698
Penalty for neglect to provide.....	698
Fire-proof stairways in factories.....	699
Belting and shafting to be covered.....	700
Hot liquids to be guarded.....	701
Rain to be kept out of buildings.....	702
Penalty for non-compliance.....	703
Hot air and steam pipes, furnaces, etc.....	704
Boiler houses and boiler rooms.....	705
Floors in boiler rooms.....	706
Portable boilers.....	707
Brick ovens, coffee roasters, etc.....	708
Wooden fences, height of.....	709
Cupolas of foundries.....	710
Steam pipes, how protected.....	711
Pipes not let into joints.....	712
Flag poles, permitted, when.....	713
Walls to be braced during erection.....	714
Business building defined.....	715
Wholesale store defined.....	716
Basement defined.....	717
How height determined.....	718
Chimney foundations.....	719
Doors in shafts or elevators to open from outside.....	720
Inspector not to be hindered.....	721
Iron bars not to be driven in streets.....	722
Posts, derricks, guy ropes.....	722
Repairs and alterations, how governed.....	723
Theaters, churches, and public halls.....	724
Stairways in.....	725
Exits in.....	726

BUILDINGS—*Concluded.*

PARAGRAPH

Proscenium, walls in.....	727
Floors of theaters to be fire proof.....	728
Partitions in theaters to be fire proof.....	729
Provisions apply to future erections.....	730
Egress openings marked.....	731
Aisles kept open.....	731
Theater defined.....	732
Scenery in theaters, incombustible.....	733
Theaters to have ventilators.....	734
Standpipe and water plug in theaters.....	735
Hose attached in theater.....	736
Public halls to have standpipe in street.....	737
Theater to have fire-alarm telegraph.....	738
Fire apparatus kept at theater.....	739
Penalty for violations.....	740
Corrugated iron buildings.....	741
Special permits.....	741
Use of streets during erection of.....	1338a
Moving of.....	1342
Moving across street car tracks.....	1365
Dangerous condition of, prohibited.....	1123
Numbering of.....	1320

BURIAL PERMITS—

Permits required for all burials.....	742
Violation, penalty.....	743

B. & M. R. R. FRANCHISES—

See "RAILROADS."

CAPITAL CITY STREET RAILWAY—

Franchise.....	1655
----------------	------

CAPITAL HEIGHTS RAILWAY COMPANY—

Franchise.....	1660, 1669
----------------	------------

CEMETERY—

Authority to own.....	131
Authority to convey lots in.....	133
Authority to regulate.....	134, 135, 136
Power of eminent domain.....	97

CEMETERY TRUSTEE—

Election of.....	818
------------------	-----

CENSUS—

Authority to take.....	109
------------------------	-----

CHARTER—

PARAGRAPH

Population.....	14
Proclamation.....	15
Continuation of government.....	16
Wards.....	17
Corporate limits.....	17
Contiguous property.....	18
Additions.....	19
Corporate name.....	20
Service of process.....	20
Rights reserved.....	21
Powers granted.....	22
Wards.....	23
Precinct lines.....	24
Elections, general.....	25
Election of officers.....	26
Excise Board.....	26
Appointive officers.....	27
Electors, qualifications of.....	28
Council meetings.....	29
Same, special.....	29
Same, quorum.....	29
Same, power of minority.....	29
Salaries.....	30
Police Judge.....	31
Officers, qualification.....	32
Mayor, powers and duties.....	33
Same, veto.....	34
Same, message.....	35
Same, vacancy.....	36
Same, pardoning power.....	37
Clerk, duties of.....	38
Treasurer, duties of.....	39
Attorney.....	40
Engineer.....	41
Same.....	42
Marshal.....	43
Street Commissioner.....	44
Accounts of officers.....	45
Contracts.....	46
Streets, care of.....	47
Market.....	48
Claims.....	49
Public money.....	50
Same, special funds.....	51

CHARTER—*Continued.*

	PARAGRAPH
Fiscal year.....	52
Annual appropriation bill.....	53
Same, estimates for	54
Expenditure of money	55
Appropriations	56
Ordinances.....	56
Warrants	57
Power to contract.....	58
Contract, officers not to be interested in.....	59
Ordinances, rules for passing	60
Same, style of.....	61
Taxes, levy of.....	62
Equalization of taxes	63
Tax list, correction	64
Taxes, delinquent.....	65
Tax warrant	66
Treasurer, power of	67
Same.....	68
Taxes, property liable	69
Same, ordinances for collection.....	70
Same, how paid	71
Same, sale of realty.....	72
Tax liens	73
Assessments, irregularity	74
Same, relevy.....	75
Same, county treasurer.....	76
Treasurers' books.....	77
Public money, removal of Treasurer	78
Treasurer, annual report	79
Ordinances, power to act by	80-143
Paving	144
Same, contracts for	145
Same, intersections.....	146
Sewer districts	147
Same, assessments	148
Special assessments, how made, when due.....	149
Same, proceeding of officers, warrant	150
Apportionment of assessment	151
Completion and acceptance of work	152
Railways, use of streets, liability.....	153
Same, special assessments.....	154
Board of Public Works	155
Finances, published statements.....	156
Witnesses.....	157

CHARTER—*Concluded.*

PARAGRAPH

County jail.....	158
Bonds for sewers, water-works, and parks	159
Same, water-works	160
Same, contracts.....	161
Bonds, interest	162
Water Commissioner.....	163
Same, duties	164
Tax for sewerage and water-works.....	165
Liquors, license.....	166
Payment of taxes.....	167
Printer's fees.....	168
Special engineer	169
Police Judge, jurisdiction.....	170
Same, power, duties.....	171
Same, appeal.....	172
Same, error	173
Same, complaints.....	174
Same, fines and penalties.....	175
Trial.....	176
Recognizance.....	177
Same, breach.....	178
Witnesses.....	179
Trial by jury.....	180
Judgments.....	181
Discharge of prisoner	182
Proceedings in Police Court.....	183
Undertaking	184
Continuance.....	185
Challenges to jurors.....	186
Punishment.....	187
Working prisoners.....	188
Vacancy in office of Police Judge.....	189
Repealing clause.....	190

CHIEF OF POLICE OR MARSHAL.....27, 43, 166, 265, 465, 473

C., B. & Q. RY. CO. FRANCHISES—

See "RAILROADS."

C., R. I. & P. RY. CO. FRANCHISES—

See "RAILROADS."

CITY ATTORNEY—

Election of.....	26
Deputy.....	30
Salary.....	30

CITY ATTORNEY—*Concluded.*

PARAGRAPH

Same.....	281
Term of office.....	26
Bond.....	274
Duties of.....	40
Same.....	444-450
Draw ordinances.....	445
Appear in Police Court, when.....	446
Keep register of suits.....	447
Deliver papers to successor.....	448
Report to Council.....	449
Approve form of bonds.....	283
Order Marshal to investigate accidents.....	553

CITY ENGINEER—

Election of.....	26, 261
Salary.....	30, 281
Duties of.....	41, 417-422
Same, shall make estimates.....	42, 419
To inspect improvements.....	152, 421
Appointment of special.....	169

CITY LIMITS—

Authority to fix.....	17
Description of.....	744

CITY PHYSICIAN—

Appointment of.....	262
Same.....	461
Duties of.....	461-464
Same, in case of accident.....	551
Reports of.....	464

CITY PRINTING—

City Clerk to advertise for bids for doing.....	1376
Bids, how made.....	1377
Bids for, opened by Clerk in presence of Council.....	1377
Awarded to lowest and best bidder.....	1377
Contract for.....	1378
Bond for.....	1378
Job printing, bids for.....	1379
Duty of Clerk regarding.....	1379
Contract shall provide for copies of paper to be furnished.....	1380
Supplies.....	1381

CIVIL RIGHTS—

Granted to all.....	234
Punishment for violation.....	235

CLAIMS—

PARAGRAPH

Presented in writing	49
Verified by oath.....	49
Read in open Council	49
Published in paper	49
Vote of each Councilman recorded	49
Statement must be filed in three months.....	49
Fund specified	57
Appeal from allowance.....	49
Warrant not to issue if appeal taken	49

CLERK—

Election of.....	26
Same	818
Term office.....	26
Salary of.....	30
Same	281
Bond.....	274
Issue election certificates	28
Custody of all laws, etc	38
Keep record of outstanding bonds.....	38
Make annual report of bonds sold.....	38
Make monthly report of warrants issued.....	38
Issue and sign warrants	57
Certify to passage of ordinances.....	60
Make out tax list	64
Deliver tax list to City Treasurer.....	64
Annex warrant to delinquent tax list.....	64
Certify to special assessment list	150
Custodian of official bonds	279
Certify to copies of complaints, when.....	296
Administer oath to Mayor.....	310
Office and office hours.....	378
Custodian of records..	379
Record proceedings of Council.....	380
Same.....	38
Officers' blanks, preparing	552
Draw warrants.....	380
Monthly reports.....	380
License, issue and record	380
Same.....	385
Preserve papers, files, etc.....	381
Prepare commissions of officers.....	382
Preserve copies of ordinances.....	383
Preserve original ordinances.....	389

CLERK—*Concluded.*

PARAGRAPH

Preserve copies of notices.....	384
Record building permits.....	386
Petition for public works, record of.....	387
Deliver ordinances to Mayor.....	388
Deliver papers to committees.....	388
Furnish certified copies, when.....	389
File documents, date of.....	390
Index of books.....	390
Custodian of corporate seal.....	391
Appoint deputy.....	30, 38, 392
Powers of deputy.....	392
Issue amusement licenses.....	566
Issue licenses for billiard and ball alleys.....	609
Advertising for bids for printing.....	1376
Open bids for printing.....	1376
Register licenses for coaches, etc.....	748
Notify judges and clerks of election.....	810
Furnish blanks to judges, etc.....	811
Deposit election returns with.....	816
Issue election certificates.....	818
Issue permit to keep gunpowder.....	865
Issue license for intelligence office.....	1083
Countersign licenses.....	1108
Register licenses.....	1109
Secure proof of publication of ordinances.....	1163
Deliver copy of revised ordinances to city officers.....	1168
Issue license to pawnbrokers.....	1173
Issue and sign plumbers' license.....	1181
Serve notice on owner of impounded animal.....	1201
Issue permits to use steam engines.....	1317
Issue permits to move houses.....	1340
Advertise for bids for city supplies.....	1381

COACHES, CABS, AND CARTS—

Unlawful to use for hire without license.....	745
Authority of Mayor to issue license.....	746
Bond for license.....	747
Register of license.....	748
Length of license.....	748
Name and number of license to be painted on vehicle.....	749
Lamps on carriages, numbers on lamps.....	750
Doors to have knob inside.....	750
Omnibus to have lighted lamp.....	750
License designate name and number.....	751

COACHES, CABS, AND CARTS—*Concluded.*

PARAGRAPH

Driver wear badge with number on.....	752
License transferable, how.....	753
Penalty for not taking out license.....	754
Price of licenses for passenger vehicles.....	755
Same during State Fair.....	756
Rates of fare for carrying passengers, etc.....	757
Same to State Fair grounds.....	758
Baggage.....	757
Goods left in coach to be delivered at police station.....	759
Violation of, penalty.....	759
Rates of fare to be posted in carriage.....	760
Disputes as to distance.....	761
No pay unless rates of fare posted.....	762
Excess of fare to be returned.....	763
Offender subject to fine.....	763
Fare may be demanded on entering.....	764
Number and name of owner to be given when asked.....	765
Public carts, defined.....	766
Carts shall be licensed.....	766
Fee for cart licenses.....	767
Number of cart to be printed thereon.....	768
Rates to be charged by carts.....	769
Retain articles transported until paid.....	770
Disposition of articles retained.....	770
Disputes as to price, settled by Marshal.....	770
Number and name of owner to be given when asked.....	771
Disorderly conduct by, prohibited.....	771
Abusing passengers.....	771
Not to act as runner without license.....	772
Racing by, prohibited.....	772
Keep to the right in driving.....	772
Unlawful for driver to become drunk.....	773
Marshal or police to remove driver, when.....	773
Depot master to designate place for hack to stand at depot.....	774
Unlawful to stand elsewhere.....	775
Penalty for violation.....	775
Unlawful to drive on or approach sidewalk.....	776
Unlawful to obstruct street.....	776
Unlawful to delay or annoy passengers.....	776
Unlawful to stand in front of hotel.....	777
Violations, penalty.....	778

COAL—

Authority for inspection of weight, etc.....	115
--	-----

COAL—*Concluded.*

PARAGRAPH

Hundred weight and ton.....	779
Weight per bushel.....	1444
Certificate of weight.....	780
Purchaser may require wagon weighed.....	781
Penalty for violating article.....	781

COMPLAINT—

Of special assessment.....	63
Notice.....	63

CONCEALED WEAPONS—

Authority to regulate.....	118
Unlawful to carry.....	782
To be confiscated	783
Arrest of person carrying.....	784
Penalty for violation.....	785
Limitations and exceptions.....	786
Mayor may grant permits to carry.....	787

CONSOLIDATED TANK LINE CO.—

Franchise.....	1553
----------------	------

CONTAGIOUS DISEASES—

Appropriation in case of.....	55
Ordinance relating to, take effect when.....	61
Authority to regulate.....	128
Physicians to report.....	1013

CONTIGUOUS LANDS.

Power to include.....	17
Defined	18

CONTRACTS—

Citizens may enforce for city, when.....	40
Estimate by engineer, when.....	42
Published in daily paper, when.....	42
Improvements requiring special assessments.....	42
Passage by yea and nay vote.....	46
May be made, when.....	58
Officers not to be interested in.....	59
Void, when.....	59
For street sprinkling.....	85
For sidewalks.....	86
For lighting.....	93
For paving.....	144
Same.....	145
Board of Public Works not to be interested in.....	155

CONTRACTS—*Concluded.*

PARAGRAPH

For supplies, how awarded.....	156
For water-works.....	161
For work, shall contain eight hour clause	789
Officers not to be interested in.....	233
Punishment for violation.....	233
Advertisements for, preserved.....	409
How let.....	411
Confirmation of.....	411
Interest in, by Board of Public Works.....	414
For supplies in Water Department.....	1407
See "BOARD OF PUBLIC WORKS," "SUPPLIES FOR CITY GOVERNMENT," "SEWERS," "STREETS," "ENGINEER," "PAVING," "MAYOR AND COUNCIL," "COUNCIL AND COUNCILMEN."	

CORPORATE SEAL—

Custodian of.....	391
Description of.....	1227

COUNCIL AND COUNCILMEN—

Election and term of.....	26, 818
Bond of.....	26, 276
Same, liability on.....	26
Confirmation of officers.....	27
Canvass return of votes.....	28
Quorum.....	29, 321
Power of, less than quorum.....	29
Salary.....	30, 281
To pass, etc., over veto.....	34
May require accounts from officers.....	45
Vote on claims.....	49
Liability for diverting money from funds.....	50
May transfer surplus.....	50, 51
Shall pass annual appropriation ordinance.....	53
Council may add to street funds.....	53
Required to make estimate for annual appropriation.....	54
Emergency.....	55
Power to contract.....	58
Unanimous vote required.....	59
Rules for passing ordinances.....	60
Publish ordinances.....	60
Poll tax.....	62
Dog tax.....	62
Road tax, expenditure of.....	62
Act as board of equalization.....	63

COUNCIL AND COUNCILMEN—*Continued.*

PARAGRAPH

May correct errors in assessment.....	75
May remove Treasurer, when.....	78
President of.....	137
Agreement for hospital privileges.....	143
Authority for paving.....	144
May require sewer pipes to be laid.....	144
May make sewer districts.....	147
Power to make special assessments.....	149
Same, board of equalization.....	149
Shall award contracts for supplies.....	156
May compel attendance of witnesses.....	157
Appeal from.....	184
Regular meetings, time of.....	29
Same.....	321
Special meetings.....	29
Same.....	321
Resignation of.....	322
Vacancy in office of.....	325
Assess lands omitted from tax list.....	64
Correct errors in tax list.....	75
Improve streets and alleys.....	144
Correct errors in special assessments.....	144
Designate sewer districts.....	147
Provide system of sewers.....	147
Affirm or reject reports.....	152
Submit proposition to vote bonds.....	213
Enter proposition on record.....	216
Levy tax to pay bonds.....	217
Canvass returns of elections.....	28
Cause election certificates to issue.....	28
Vote on claims recorded.....	49
Liable for damage for diverting fund.....	50
Absence from meetings.....	323
Order of business.....	326
Rules of Council.....	326
May replat additions and subdivisions.....	556
Direct issuance of billiard and ball alley licenses.....	608
Grant building permits.....	618
Grant special building permits.....	741
Determine character of fire escapes.....	690
Grant permits for lumber yards.....	856
Direct issuance of plumber's license.....	1181
Cause surplus from sale of impounded animal to be paid to owner.....	1202
Grant permits to use space under sidewalks.....	1274

COUNCIL AND COUNCILMEN— <i>Concluded.</i>	PARAGRAPH
Grant permits to use steam engines.....	1317
Provide method for numbering buildings.....	1320
COUNTY CLERK—	
Permit City Clerk to copy records.....	62
COUNTY TREASURER—	
To collect taxes, when.....	69
Receive delinquent tax list.....	72
Add delinquent city tax to county tax.....	72
Sell real estate to collect tax.....	72
Pay over money to City Treasurer.....	76
CURBING—	
See "PAVING."	
DAY—	
Number of hours of labor.....	788
DEATHS—	
Registry of, by physicians.....	790
Report of.....	791
Penalty for violation.....	792
DEPOTS—	
Authority to regulate grounds.....	95
DEPUTY ATTORNEY.....	30, 281, 451
DEPUTY CLERK	30, 281
DEPUTY TREASURER.....	30, 268
DOGS—	
Authority to tax.....	62
Authority to license and regulating and keeping.....	88
Same.....	125
Tax	793
Duty of owner	793
Treasurer to furnish tags.....	794
To have collar with tag attached.....	795
Duplicates furnished.....	795
Unlawful to remove tag or collar.....	796
Unlawful to kill or steal licensed dog.....	796
Mayor provide pound	797
Employ poundmaster.....	797
Impounding	126, 798
Fee for.....	798
Must wear muzzle.....	799
Impounding dogs without muzzl s	799

DOGS—*Concluded.*

PARAGRAPH

Redemption from pound.....	800
Disposition of unclaimed dogs	800
Disposition of pound fees.....	801
Limitations and exceptions.....	801
Exemption where tax is already paid.....	802
Penalty for violations.....	803
Set to fighting prohibited.....	1122

ELECTION DISTRICTS—

How constituted.....	23, 24
Names and boundaries of.....	828-835
Unlawful to vote except at legal residence	835

ELECTIONS—

General.....	25
When held.....	25
Polls, where located.....	25
Same.....	804
Provisions concerning.....	104
Primaries.....	104
Election districts	23
Opening and closing polls.....	25
Canvass of returns.....	28
Electors, qualifications.....	28
Registration.....	104, 804
Certificate of election, how issued.....	28
Excise Board, election of.....	26
Officers, election of.....	26
Same	805
Notice of.....	806
Judges and clerks, appointment of.....	807
Qualifications of.....	807
Appointment to fill vacancy of.....	808
Oath of.....	809
Notice to, of appointment.....	810
City Clerk furnish poll book.....	811
Time of opening and closing	25, 812
Inspecting ballot box.....	813
Manner of conducting.....	813
Governed by general statutes.....	814
Count of ballots.....	815
Returns to be made to Mayor in presence of Council.....	816
Canvass of	817
Abstract of vote.....	818
Certificates of election.....	818

ELECTIONS—*Concluded.*

PARAGRAPH

Refusal of judge or clerk to serve, penalty.....	819
Sickness of, vacancy by election.....	820
Secret ballot.....	821
Penalty for examining ballot.....	821
Judge have power to preserve order at the polls.....	822
Police at polls.....	823
Special elections, how governed.....	824
Contests of elections.....	825
Certificate withheld in case of.....	825
Tie vote.....	826
Illegal voting.....	827
Grant of street railway franchise.....	1353-1356

ELECTORS—

Registration of.....	28, 104, 804
----------------------	--------------

ELECTRIC LIGHT—

Authority to regulate.....	94
Authority to contract for lighting streets, etc.	93
Wires, how erected.....	836
Distance from other electric wires.....	837
Not to interfere with electric wires.....	838
Duty to remedy such interference.....	839
Failure to remedy, penalty.....	840
Wires subject to direction of Street Commissioner.....	841
Unlawful to maintain without payment of tax.....	842
Penalty for violation.....	842
Occupation tax.....	843
Destroying property of.....	923

ELECTRIC LIGHT COMPANY—

Franchise.....	1551
----------------	------

ELECTRIC LIGHT, GAS, AND OIL COMPANIES—

Franchises.....	1551-1555
-----------------	-----------

EMERGENCY —

Power of Council in.....	55
--------------------------	----

EMINENT DOMAIN—

Exercise of.....	97, 193, 844
For water-works.....	160

EMPLOYEES—

How paid when appropriation exhausted.....	55
Fire Department	269
Water Department	1402, 1406
Clerks and assistants.....	270

EMPLOYEES—*Concluded.*

PARAGRAPH

Laborers.....	272
Employees and appointive officers.....	262

ENGINEER—

Election of.....	26
Salary of.....	30
Same.....	281
Bond.....	274
Special engineer.....	169
Record minutes of surveys, estimates, etc.....	41
Make maps, plats, estimates, etc.....	41
Preserve records.....	41
Turn over records to successor.....	41
Estimate cost of public works.....	42
Make surveys for public improvements.....	42
Duties required by Council.....	42
Make estimates before work let.....	42
Preserve specifications.....	42
Make detailed plans.....	42
Submit plans to Council.....	42
Supervise public works.....	42
Inspect improvements.....	155
Report to Board of Public Works.....	155
Location of office.....	418
Have charge of instruments, etc.....	418
Record maps, plans, surveys, etc.....	418
Make surveys.....	419
Report intrusions on public grounds.....	420
Supervise work in streets.....	421
Issue permits for work on streets.....	421
Care of paved streets.....	421
Preserve plans.....	422
Reports to Council.....	422
Duties in case of accidents.....	552
Notify gas company of intention to pave.....	926
Service of notice.....	927
Issue special permit for laying sewer pipe.....	1239
Issue permit for excavating in street.....	1350

EPIDEMIC—

Appropriation in case of.....	55
-------------------------------	----

ESTIMATES—

Appropriation bill.....	54
For public works.....	42
For annual supplies.....	156

EXCISE BOARD—

PARAGRAPH

Composed of.....	26
Election of.....	26
Appointment and removal of Marshal and police.....	27, 166
Granting licenses.....	166
Salary.....	30
Powers and duties.....	163
Rules of.....	1720

EXPENDITURES—

Not to exceed amount provided.....	55
Exceptions and limitations.....	55

EXPLOSIVES—

Authority to regulate.....	118
Permit for keeping.....	865, 867, 877

EXPRESS COMPANIES—

Occupation tax on.....	846
Penalty for failure to pay.....	847
Disposition of tax.....	847
Tax on real and personal property.....	848

FEES.....	30, 31, 281, 290, 619, 798, 1098, 1198, 1182
-----------	--

FINES—

Authority to impose.....	116
To whom paid.....	175

FIRE-ARMS, FIRE-WORKS, AND CANNONS—

Authority to regulate.....	118
Unlawful to discharge.....	881
Not to be sold to minors.....	882
Toy arms, sling-shots, etc., not to be discharged.....	883
Toy arms, sling-shots, etc., prohibited.....	884
Unlawful to furnish minor with.....	885
Penalty for.....	885
Fire-works, discharge of, prohibited.....	886
Same on streets, parks, alleys, etc., prohibited.....	887
Duty of police to enforce.....	889

FIRE DEPARTMENT—

Authority for.....	113
Tax for support of.....	237
Receive building permit fees.....	619
Appointment of Chief.....	27
Same.....	263
Confirmation of Chief.....	27
Same.....	263

FIRE DEPARTMENT—*Concluded.*

	PARAGRAPH
Bond of.....	504
Same.....	274
Same.....	282, 283
Term of office.....	289
Same.....	263
Duties of Chief.....	490-504, 510
Certify to safety of public halls.....	574
Choose arbitrators to determine damages.....	623
Powers of, regarding damages to buildings.....	627-629
Require placing of fire escapes.....	690
Have direction of fire alarm in theaters.....	738
Grant permits for bonfires.....	850
Examine chimneys, etc.....	863
Give directions regarding.....	863
Grant gunpowder permits.....	865
Register gunpowder permits.....	867
Penalty for obstructing hydrant.....	890
Persons present at fire subject to order of Chief.....	891
Chief may demand aid from draymen, etc.....	892
Penalty for refusing to obey.....	892
Hindering firemen.....	893
Penalty for.....	893
Hose not to be driven over.....	894
Unlawful possession of keys to fire boxes.....	895
Penalty for.....	895
Defacing alarm boxes.....	897
Fire apparatus have right of way.....	898

FIRE ESCAPES—

Authority to regulate and require..	123, 124
On buildings.....	690
Penalty for omitting.....	691
Public halls defined.....	899
Means of egress from public halls.....	900
Doors open outward.....	901
Aisles and passage ways.....	902
Fire extinguishers in halls.....	903
Violations and penalties.....	904
Boarding houses and hotels.....	905
Iron balconies on three-story hotels.....	906
Stairways in hotels.....	907
Post notice that ordinance has been complied with.....	908
Penalty for violations.....	909
Opera houses, balconies and stairways.....	910

See "BUILDINGS."

FIRE LIMITS—

PARAGRAPH

Authority to fix.....	113
Boundaries of	911
Unlawful to repair frame buildings within	622
Damage to building, how ascertained.....	623
Erection of buildings within. See "BUILDINGS."	
Permits for lumber yards within	856
Paper and refuse matter in streets within	861

FIREMEN—

Appointment.....	491
Same.....	269
Salary	281
Duties of.....	492, 498, 499, 505, 506, 509, 510
Removal of.....	491, 509, 510
Disability of	506
Badge of.....	508
Copy of rules furnished to.....	507
Rewards or presents to	509
Absence from duty.....	510
Obstructing in performance of duty	879

FIRES—

Giving false alarm of.....	849
Bonfires, permits	850
Lighted lamps not to be taken into stables	851
Shavings to be removed	852
Stoves and candles in shops.....	853
How carried through streets.....	854
Chips and shavings not to be scattered in streets.....	855
Lumber yards, permits for.....	856
Storing lumber.....	857
Penalties for storing lumber	858
Boiling pitch or tar.....	859
Hay or straw not to be piled near building.....	860
Penalty for	860
Hay, staw, paper, and refuse matter in streets	861
Penalty for placing	861
Ashes not to be kept in wood	862
Chimneys, flues, etc., examination of.....	863
Alterations in, required by Chief of Fire Department.....	864
Gunpowder and other explosives.	865
Permits to keep.....	865
Applications for	866
Registry of.....	867
Gunpowder not to be weighed by lamp light.....	868

FIRES—*Concluded.*

PARAGRAPH

Sign for.....	869
Keeping gunpowder, etc.....	870
Storing gunpowder, etc.....	871
Transportation of gunpowder, etc.....	872
Shipping gunpowder.....	873
Permits expire, when.....	874
Seizing gunpowder.....	875
Manufacture of explosives prohibited.....	876
Penalty for violation.....	876
Storing dynamite, etc., prohibited.....	877
Sign on building used for storing dynamite, etc.....	878
Penalty for violation.....	878
Obstructing Fire Department in examining.....	879
Placing rubbish in sewers, penalty.....	880

FISCAL YEAR.....	52
------------------	----

FLAGMAN—

Where stationed.....	1214
----------------------	------

FLAGS ON CITY HALL—

Power to display, vested in Mayor.....	912
--	-----

FLOWER POTS—

Unlawful to keep on window sills.....	913
Penalty for.....	913

F., E. & M. V. RY. CO.—

See "RAILROADS."

FRANCHISES—

Capital City Street Railway.....	1655
Capital Heights Railway Co.....	1660, 1669
Consolidated Tank Line Co.....	1553
Electric Light Co.....	1551
Electric Light and Oil Companies.....	1551-1555
Lincoln and Salt Lake Co.....	1673
Lincoln City Electric Railway Co.....	1670, 1671
Lincoln District Telegraph Co.....	1676
Lincoln Electric Railway Co.....	1664
Lincoln Gas Co.....	1552, 1555
Lincoln Rapid Transit Co.....	1657
Lincoln Street Railway.....	1636, 1667, 1672
Lincoln Telephone Co.....	1674
Nebraska Telephone Co.....	1675, 1679
North Lincoln Street Railway Co.....	1666
Pacific Telegraph Co.....	1677
Standard Street Railroad Co.....	1662, 1668

FUNDS—

PARAGRAPH

Must be devoted to purpose intended.....	50
Surplus.....	50
Special, how used.....	51
General, limitation of taxes for.....	62
Viaduct.....	83

FUNERAL TRAINS—

Definition.....	914
Has right of way.....	915
Violation, penalty.....	916

GAMING—

Power to suppress.....	117
Unlawful to keep devices for.....	917
Unlawful to engage in.....	918
Unlawful to engage in, in any saloon, etc.....	919
Unlawful to frequent places used for.....	920
Penalty for violation.....	921

GAS—

Authority to regulate sale and use of.....	94
To contract for erecting gas house, etc.....	93
To contract for lighting city.....	93
Destroying property of Gas or Electric Light Co.....	922, 923
Price of.....	928a

GAS MAINS—

Authority to regulate.....	94
Must be laid in paving districts.....	924
Must be done before paving.....	925
Notice to gas companies.....	926
Served by City Engineer.....	927
Penalty for violations.....	928

GRADES—

• Datum plane.....	929
Grade of A street.....	930
Grade of B street.....	931
Grade of C street.....	932
Grade of D street.....	934
Grade of E street.....	935
Grade of F street.....	936
Grade of G street.....	937
Grade of H street.....	938
Grade of J street.....	939
Grade of K street.....	940

GRADES—*Continued.*

PARAGRAPH

Grade of L street.....	941
Grade of M street.....	942
Grade of N street.....	943
Grade of O street.....	944
Grade of P street.....	945
Grade of Q street.....	946
Grade of R street.....	947
Grade of S street.....	948
Grade of T street.....	949
Grade of U street.....	950
Grade of V street.....	951
Grade of Sixth street.....	952
Grade of Seventh street.....	953
Grade of Eighth street.....	954
Grade of Ninth street.....	955
Grade of Tenth street.....	956
Grade of Eleventh street.....	957
Grade of Twelfth street.....	958
Grade of Thirteenth street.....	959
Grade of Fourteenth street.....	960
Grade of Fifteenth street.....	961
Grade of Sixteenth street.....	962
Grade of Seventeenth street.....	963
Grade of Eighteenth street.....	964
Grade of Nineteenth street.....	965
Grade of Twentieth street.....	966
Grade of Twenty-first street.....	967
Grade of Twenty-second street.....	968
Grade of Twenty-third street.....	969
Grade of Twenty-fourth street.....	970
Grade of Twenty-fifth street.....	971
Grade of Twenty-sixth street.....	972
Grade of Twenty-seventh street.....	973
Grade of Twenty-eighth street.....	974
Grade of Twenty-ninth street.....	975
Grade of Thirtieth street.....	976
Grade of Thirty-first street.....	977
Grade of Thirty-second street.....	978
Grade of Thirty-third street.....	979
Grade of Garfield street.....	980
Grade of Fitzgerald avenue.....	981
Grade of Sumner street.....	982
Grade of Randolph street.....	983
Grade of Washington street.....	984

GRADES—*Concluded.*

PARAGRAPH

Grade of Vine street.....	985
Grade of Euclid avenue.....	986
Grade of Chestnut street.....	987
Grade of Ulysses avenue.....	988
Grade of Cedar street.....	989
Grade of Elm street.....	990
Same.....	998
Grade of Nebraska court.....	991
Grade of Mulberry and Maple streets.....	992
Grade of Prospect street.....	993
Grade of Rose and Locust streets.....	994
Grade of Walnut street.....	995
Grade of University Place.....	996
Grade of Holmes street.....	997
Grade of Plum street.....	999
Grade of Pine and Poplar streets.....	1000
Grade of Wood street.....	1001
Grade of South street.....	1002
Grade of Harvard street.....	1003
Grade of Cherry street.....	1004
Grade of Gardner and Sycamore streets.....	1005
Grade of Peach street.....	1006

HACKMEN—

Acting as hotel runner.....	1069
See "COACHES, CABS," etc.	

HAWKER—

Defined.....	1098
License of.....	1098

HEALTH—

Authority to establish rules for.....	128, 130
Same.....	131
Same.....	132
Health Officer.....	1008
Duties.....	1009
Powers and duties of Board of Health.....	1010
Power to destroy property.....	1010
Employ Health Physician.....	1011
Quarantine.....	1012
Report of contagious or infectious disease.....	1013
Persons having small-pox to remain in room.....	1014
Premises to be fumigated.....	1014
Vaccination.....	1015
Registry of births.....	1017
Registry of deaths.....	1017

HEALTH—*Concluded.*

PARAGRAPH

Reports to be filed with Health Officer.....	1018
Burial permits.....	1019
Burials, where allowed.....	1019
Blanks furnished.....	1020
Vault cleaner must be licensed.....	1039
How work must be done.....	1040
Tanks, carts, and tools, how stored.....	1041
Must be inspected.....	1041
Unlawful to allow stagnant water.....	1021
Offensive odors from cattle pens, etc.....	1022
Storing green or salted hides prohibited.....	1023
Disposition of refuse matter.....	1024
Disposition of matter injurious to public health.....	1025
Business detrimental to health prohibited.....	1026
Rendering fat, how conducted.....	1027
Privy vaults, how constructed.....	1028
Owner or occupant must provide slop receptacle.....	1029
Placing garbage in alleys prohibited.....	1030
Privy vaults, in tenements.....	1031
Same, outside of sanitary sewer districts.....	1032
Same, prohibited near dwelling, well, etc.....	1033
Cess-pool, using well for, prohibited..	1034
Cess-pool, vault, etc., condition of.....	1035
Same, contents removed before filling up.	1036
Same, disinfected, how often.....	1037
Same, duty of Board of Health regarding.....	1038
Hydrophobia, animals having, or exposed, to be killed.....	1016
Same, where buried.....	1016
Disposition of dead animals.....	1042
Same, duty of Health Officer.....	1042
Dead animals not to be placed in streets, etc.....	1043
Dumping ground for scavenger matter.....	1044
Slaughter houses, provisions regarding.....	1045
Killing animals outside of, prohibited..	1046
Unwholesome food, sale of, prohibited.....	1047
Same.....	1048
Cattle exposed to cattle disease, sale of, prohibited.....	1049
Pregnant animals, killing, prohibited.....	1050
Calf, pig, etc., less than a month old.....	1051
Damaged or decayed fruit or vegetables, sale prohibited.....	1052
Adulterated milk, sale of, prohibited.....	1053
Dealer must allow Health Officer to inspect.....	1054
Hotels must keep slop receptacle.....	1055
Violations and penalty.....	1056

HEALTH OFFICER—

	PARAGRAPH
Authority for	128, 130
Appointment of.....	266, 1008
Same.....	457
Duties of.....	458, 1009
Keep records of Board of Health.....	459, 1018
Furnish blanks.....	459, 1020
Report of.....	460
Permits to convalescents.....	1014
Inspect scavenger wagons.....	1224
See "BOARD OF HEALTH."	

HIGHWAYS—

City may vacate.....	17
----------------------	----

HORSES—

Power to regulate use of.....	9, 91, 92
Not to be driven faster than six miles an hour.....	1057
Driving around street corners.....	1058
Driving through alleys.....	1059
Running at large	1060
Not to be driven on sidewalks.....	1061
Racing on streets	1062
Standing attached to vehicle and unfastened.....	1063
Penalty for.....	1063
Not allowed on space reserved for sidewalks.....	1296
Driving same through streets.....	1331

HOSPITALS—

Authority for.....	139, 140
Board of Commissioners.....	140
Agreement with charitable association.....	143

HOTEL RUNNERS—

General provisions regarding.....	1064
Licence for.....	1065
Badge of.....	1066
Practicing deception, disturbing peace, etc.....	1067
Line for, on depot platforms.....	1068
Must obey police officers.....	1068
Hackman acting as runner.....	1069
Penalty for violating.....	1070

HOUSES OF ILL-FAME—

Authority for regulating	117
Defined.....	1071
Unlawful to keep.....	1072

HOUSES OF ILL-FAME—*Concluded.*

PARAGRAPH

Penalty for.....	1140, 1072
Inmates thereof.....	1073
Penalty.....	1140, 1073
Frequenters thereof.....	1074
Penalty.....	1140, 1074
Allowing pro-titutes to visit room.....	1075
Sufficiency of proof.....	1076

ICE—

Sale of impure ice prohibited.....	1077
Weight.....	1077
Weighing, apparatus for.....	1078
Scales not to project beyond wagon.....	1079
Penalty for violations.....	1080

INSPECTION OF SEWERS—INSPECTOR—

Appointment of.....	27
Term of office.....	289
Creation of office.....	432
Appointment of.....	432
Confirmation of.....	432
Act under City Engineer.....	433
General charge of sewers.....	433
Keep same in repair.....	433
Supervise repairs of same.....	434
Supervise connections with.....	434
Require excavations filled.....	434

INSPECTION OF SIDEWALKS—INSPECTOR—

Appointment of.....	27, 263
Confirmation of.....	263
Term of office.....	263
Salary of.....	281
Duties of.....	428
Serve notice of defective walks.....	428
Repair defective walks.....	428
Report cost of repairs.....	428
Serve notice to lay walk.....	429
Make return to Council.....	429
Keep record of notices served.....	429
Report weekly to Council.....	429
Examine place of accidents.....	430
Secure names of witnesses.....	430
Report same to City Attorney.....	430
Act as Street Commissioner.....	431

INSPECTION OF SIDEWALKS—INSPECTOR— <i>Concluded.</i>		PARAGRAPH
General supervision of side and cross-walks	1291	
Keep record of notices served	1292	
Serve notice to build sidewalks	1272	
INSURANCE COMPANIES—		
Statutory provisions	237-240	
INTELLIGENCE OFFICE—		
Defined	1081	
License for	1082	
Bond for	1083	
What license to contain, duration	1084	
Revocation of, by Mayor	1084	
Penalty for deceit, imposition, etc	1085	
Penalty for keeping without license	1085	
INTEREST—		
Delinquent taxes	65	
Refunding of, when	148	
JAIL—		
County, use of, by city	158	
City, rules governing	1085a	
JAIL FEE	181	
JUDGMENT—		
Police judge, appeal from	172	
Same, error	173	
On conviction	181	
On confession	181	
Execution on	181	
Against sureties	181	
JURY TRIAL—		
When allowed in police court	180	
Jury fee	180	
Challenges	186	
Selecting jury	180	
JUSTICE OF THE PEACE—		
Election districts	24	
Act as police judge on appointment	189	
Police judge has same jurisdiction, when	170	
LAMPS—		
Power to erect and light	94	
Authority to require railroads to use	96	

LAMPS—*Concluded.*

PARAGRAPH

Under charge of Sidewalk Inspector.....	1086
Post-office department authorized to attach boxes to	1087
Penalty for unauthorized lighting.....	1088
Breaking, mutilating, etc.....	1089
Breaking or carrying away street signs on.....	1090
Breaking, defacing, or hitching to lamp-post.....	1091
Same.....	1286

LEVY—

Ninety per cent only to be used.....	57
--------------------------------------	----

LIBRARY—

Authority to establish.....	98
Establishment of.....	1092
Directors, election of.....	1093
Bond of.....	1094
Powers of.....	1095
Same.....	245, 252
Report of.....	1096
Rules and regulations of.....	1096
Penalty for defacing books, etc., property of.....	1097
Jurisdiction of Police Judge in matters relating to.....	249

LICENSES—

Authority to require.....	87, 88
Same.....	123, 127
General provisions regarding.....	1098
By whom issued.....	380
Peddler defined.....	1098
Merchandise defined.....	1098
Street fakir defined.....	1098
Fee for	1098
Transient merchant.....	1099
Street exhibitions, public balls, etc.....	1103
For medicines, gambling devices, etc., on street, prohibited	1104
Fee for, paid in advance.....	1106
Receipt of Treasurer therefor.....	1107
Signed by Mayor, countersigned by Clerk.....	1108
Register of.....	1109
May be issued to firm, corporation, etc.....	1110
To employers, protect employees.....	1111
Limitations and exceptions.....	1112
Sale of liquors.....	166, 1720
Penalty for violations.....	1113

(For licenses for special matters, see that subdivision.)

LIENS—

PARAGRAPH

Special taxes.....	63
Same, when	73
General, when.....	73
Of water tax.....	111
Special tax, street railway.....	154

L. & N. W. RY. CO. FRANCHISE—

See "RAILROADS."

LINCOLN & SALT LAKE CO.—

Franchise.....	1673
----------------	------

LINCOLN CITY ELECTRIC RAILWAY CO.—

Franchise.....	1670, 1671
----------------	------------

LINCOLN DISTRICT TELEGRAPH CO.—

Franchise.....	1676
----------------	------

LINCOLN ELECTRIC RAILWAY CO.—

Franchise.....	1664
----------------	------

LINCOLN GAS COMPANY—

Franchise.....	1552, 1555
----------------	------------

LINCOLN RAPID TRANSIT CO.—

Franchise.....	1657
----------------	------

LINCOLN STREET RAILWAY—

Franchise	1656, 1667, 1672
-----------------	------------------

LINCOLN TELEPHONE CO.—

Franchise.....	1674
----------------	------

LIQUORS—

License for sale of.....	1720
--------------------------	------

LOTS AND BLOCKS—

Authority to require filling and draining of	121, 1152
Defined.....	144
Subdivision of.....	555
Council may replat	556
Plat of, unlawful when.....	557
Sale of, unlawful when.....	558

MARKET HOUSE—

Authority for.....	110
Eminent domain	97
Under control Mayor and Council	48
Farmers may sell their own produce.. ..	48

MARKET SQUARE—

PARAGRAPH

Legislative grant.....258, 259

MARSHAL OR CHIEF OF POLICE—

Appointment of.....27, 43, 166, 265, 466, 473
 Removal..... 27
 Term of office..... 27
 Bond..... 274
 Salary..... 30
 Same..... 281
 Duties of..... 43
 Same.....466-473
 Same..... 489
 To work prisoners when..... 188
 Duties in case of accident.....551, 552
 Attend Council meetings..... 324
 Settle disputes as to hack fare..... 761
 To remove drunken hack driver..... 773
 Station police at polls on election day..... 823
 Mark line for runners at depots, etc..... 1068

MAYOR AND COUNCIL—POWERS AND DUTIES—

Powers granted and limitations..... 22
 To divide wards into election districts..... 23
 Street Commissioner subject to..... 44
 Have care of streets, etc..... 47
 Power over markets..... 48
 May not tax farmer, when..... 48
 Transfer surplus fund..... 50
 Money, how expended..... 55
 Power to levy and collect taxes..... 62
 Limitation on taxation..... 62
 Tax ordinance..... 70
 May relevy tax, when..... 75
 Shall prescribe manner of keeping books..... 77
 Viaduct, powers.....83, 192, 193
 Sprinkling of streets..... 85
 May fill vacancies..... 105
 May revoke license..... 123
 Hospital trustees..... 140
 Authority to create paving districts..... 144
 Special tax for sewers..... 148
 May make re-assessments for sewer, when..... 148
 Power to pave street used by railway..... 154
 May provide method of paying special tax..... 154

MAYOR AND COUNCIL—POWERS AND DUTIES— <i>Concluded.</i>	PARAGRAPH
May remove members of Board of Public Works.....	155
Shall publish statement of finances.....	156
Borrow money for works of internal improvements.....	159
Authority to construct water-works.....	160
May contract for water-works.....	161
Investment of sinking fund.....	167
Limit on price for printing.....	168
May employ special engineer.....	169
To regulate huckstering.....	48
Pass annual appropriation bill.....	53
Prepare estimate for annual appropriation.....	54
Publish estimate.....	54
Exceed appropriation, when.....	55
Require bond of contractors.....	211
Fill vacancy in Council.....	325
Approve contracts of Board of Public Works.....	407
Same.....	411
Grant permits to move buildings.....	1340
Improve streets.....	1344
Designate polling places.....	804
Give authority to lay cross-walks.....	1291
Condemn land for streets.....	1345
Order street car tracks taken up.....	1361
Direct where telegraph poles, etc., shall set.....	1386
MAYOR—POWERS AND DUTIES—(<i>Provided by Ordinance</i>)—	
Take oath.....	310
Chief executive officer.....	311
Examine complaints against officers.....	312
Fill vacancies by appointment.....	313
Remove paupers.....	316
Suppress riot.....	315
Assist indigent persons.....	316
Call special meetings of the Council.....	321
Fill vacancy in Council.....	325
See also rules of Council.....	326-377
Appoint Health Officer.....	265, 266
Appoint City Physician.....	267
Appoint employees of Fire Department.....	269
Appoint clerks and assistants.....	270
Appoint laborers.....	272
Appoint Street Commissioner.....	263
Appoint Assistant Street Commissioner.....	263
Appoint Chief of Fire Department.....	263

MAYOR—POWERS AND DUTIES—(*Provided by Ordinance*)—

<i>Concluded.</i>	PARAGRAPH
Appoint Sidewalk Inspector	263
Appoint Member Board of Public Works.....	264
Appoint Police Judge, when.....	189, 263
Appoint Sewer Inspector.....	1243
Grant leave of absence.....	284
Allow presents to police.....	480
Allow firemen to retain rewards.....	509
Sign amusement licenses.....	566
Revoke amusement licenses.....	572
Approve bond of auctioneers.....	592
Grant permit for auctions.....	590
Revoke auctioneers' permits ..	593
Approve bond for billiard and ball alley.....	609
Sign license for billiard and ball alley.....	608
Election of.....	818
Receive returns of elections.....	816
Canvass returns.....	817
Issue election certificates.....	818
Grant permits to carry concealed weapons.....	787
Provide dog pound.....	797
Employ poundmaster	797
Same	1198
Appoint judges and clerks of elections.....	807
Cause notices of election to be published.....	806
Grant permits to transport gunpowder on streets.....	873
Grant permit for storing dynamite	877
Has authority to display flags, etc., on city hall.....	912
Approve bond for public intelligence office.....	1083
Revoke license of intelligence office.....	1084
Approve bond of Library Directors	1094
Sign all licenses	1108
Approve bond of pawnbrokers	1172
Sign pawnbroker's license	1173
Revoke pawnbroker's license.....	1179
Sign plumber's license.....	1181
Approve bond of second-hand dealer.....	1229
Sign license of second-hand dealer.....	1230
Issue notice of election to grant franchise	1354
President of Excise Board.....	26

MAYOR—POWERS AND DUTIES—(*Statutory Provisions*)—

Election of.....	26
Bond of.....	274

MAYOR—POWERS AND DUTIES—(*Statutory Provisions*)—

<i>Concluded.</i>	PARAGRAPH
Term of office.....	26
Salary.....	30
See also.....	274
Vacancy, how filled.....	36
President of Council may act as.....	137, 319
Member of Excise Board.....	26
President Board of Hospital Commissioners.....	140
Appoint Police Judge.....	189
Special meeting of Council.....	29
Shall preside at Council meetings.....	33
See also.....	314
Vote in case of tie.....	33
Casting vote.....	33
See also.....	314
Superintend all officers of city.....	33
See also.....	312
Enforce ordinances and statutes.....	33
See also.....	311
Sign commissions and appointments.....	33
See also.....	312
Sign or veto ordinances.....	34
Sign or veto resolutions.....	34
Neglect to sign bill, resolutions, etc.....	34
Inform Council of condition of city.....	35
Compel inhabitants to enforce law.....	36
May require aid	36
See also.....	315
To remit fines.....	37
Reprieve and pardon.....	37
Require officers to exhibit books, etc.....	45
Require officers to report in writing.....	45
Have care of streets, etc.....	47
Sign warrants.....	57
Proclamation of ordinance.....	61
To convey cemetery lots.....	133

MEAT MARKET—

When to be kept open.....	1374
---------------------------	------

MIDLAND PACIFIC RY. CO. FRANCHISES—

See "RAILROADS."

MISSOURI PACIFIC RY. CO. FRANCHISES.

See "RAILROADS."

MISDEMEANORS—MISCELLANEOUS PRACTICES—	PARAGRAPH
Authority to punish.....	117-120
Violation of.....	—
Addition ordinances.....	559
Amusement ordinance.....	572, 573, 575-577
Areaway ordinance.....	589
Auctioneer ordinance.....	594-596, 602
Barbed wire ordinance.....	605
Billiard ordinance.....	610
Birth ordinance.....	613
Bread ordinance.....	617
Building permit ordinance.....	620
Buildings ordinance.....	740
Burial ordinance.....	743
Coach, cab, and cart ordinance.....	778
Concealed weapon ordinance.....	785
Death ordinance.....	792
Dog ordinance.....	803
Election ordinance.....	819, 821, 822, 827, 835
Electric light property ordinance.....	842
Express company ordinance.....	847
Fire ordinance.....	849-880
Fire-arms ordinance.....	881-887
Fire Department ordinance.....	629, 890-898
Fire escape ordinance.....	902, 909
Flower-pot ordinance.....	913
Funeral train ordinance.....	916
Gaming ordinance.....	917-919
Gas and electric light property ordinance.....	923
Gas main ordinance.....	928
Health ordinance.....	1056
Horse ordinance.....	1057-1063
Hotel runner ordinance.....	1070
Houses ill-fame ordinance.....	1140, 1072-1075
Ice ordinance.....	1080
Intelligence office ordinance.....	1085
Lamp ordinance.....	1091, 1286
Library ordinance.....	1097
License ordinance.....	1113
Oil ordinance.....	1161
Pawnbroker ordinance.....	1179
Plumber ordinance.....	1183
Pound ordinance.....	1205
Railroad ordinance.....	1215
Resident merchant ordinance.....	1219

MISDEMEANORS—MISCELLANEOUS PRACTICES—

Continued.

PARAGRAPH

Scavenger ordinance.....	1226
Second-hand dealer's ordinance.....	1234
Sewers and drain ordinance.....	1242
Sidewalk ordinance.....	1297
Stationary engineer ordinance.....	1308
Steam carousal ordinance.....	1315
Steam engine ordinance.....	1318
Street ordinance.....	1326-1351
Street railroad ordinance.....	1372
Sunday ordinance.....	1375
Telegraph and telephone ordinance.....	1390
Vagrant ordinance.....	1140
Water ordinance.....	1412-1428
Weights and measures ordinance.....	1448
Miscellaneous.....	
Ordinance having no penalty attached.....	1167
Using loud, obscene, or indecent language.....	1114
Disorderly conduct.....	1115
Disturbing religious worship.....	1116
Obstructing sidewalk.....	1117
Sparring matches, prize fights, etc.....	1118
Wearing policeman's star or badge.....	1119
Wearing garb of opposite sex.....	1120
Indecent exposure.....	1121
Indecent publication or play.....	1121
Dog fights, etc.....	1122
Erecting awning contrary to ordinance.....	1285
Structures, dangerous condition of.....	1123
Destroying property of another.....	1124
Drunkenness.....	1125
Depositing filth on premises of another.....	1126
Hitching animals to trees.....	1127
Weeds growing on lot.....	1128
Peddler occupying sidewalk.....	1129
Possession of burglar's tools unlawful.....	1130
Defacing fencing, signs, awnings, etc.....	1131
Obstructing water in sewer, etc.....	1132
Throwing refuse on street.....	1133
Throwing rind or peel on sidewalk.....	1134
Defacing public buildings, etc.....	1135
Bill posting.....	1136
Corner loafers.....	1137
Disturbing corner stakes or marks.....	1138

MISDEMEANORS—MISBELLANEOUS PRACTICES—

<i>Concluded.</i>	PARAGRAPH
Tearing up curbs or gutters.....	1139
Destroying city property.....	1139
Vagrants	1140
Peddling medicine prohibited.....	1141
Exhibiting stud-horse or bull.....	1142
Abusing animals.....	1143
Exhibiting deformity	1144
Selling tobacco to minors.....	1145
Opium joints.....	1146
Permitting bear or other dangerous animals.....	1147
Fruit or book stands.....	1148
Driving sleighs without bells	1149
Receiving stolen goods.....	1150
Penalty for violations.....	1151

NEBRASKA TELEPHONE CO.—

Franchise.....	1675, 1679
----------------	------------

NORTH LINCOLN STREET RAILWAY CO.—

Franchise.....	1666
----------------	------

NUISANCE—

Authority to prevent.....	121
To prescribe rules for prevention.....	130
Lot owner to fill lot.....	1152
Street Commissioner to fill after ten days.....	1154
Cost, assessed against lots.....	1157, 1158
Notice.....	1159

OFFICERS—

Qualifications, electors	32
Not eligible after resignation or vacating.....	30
Elective, list of.	26
Same.....	261
Failure to qualify	28
Appointive, list of.....	27
Same.....	262
How appointed by Mayor.....	27
Same.....	262-272
Commission of.....	33
Confirmation of.....	27
Same	263
Term of office	263
Same	289
Removal of.....	27

OFFICERS—*Concluded.*

PARAGRAPH

Same	263
Salaries	30, 281
Power to contract	58
No pay other than salary	59
Deputy Treasurer, appointment	268
Clerks and assistants	270
Not accepted as surety on bond	107, 282
Leave of absence	284
Deliver books, etc., to successor	285
Submit books to inspection	286
Dealing in warrants prohibited	287
Retaining money prohibited	288
Reports of fees	291
Same	108
Required to give bond	107
Vacancies, how filled	105, 309
Violations of provisions	292
Vacating, absence	30
Contracts with city prohibited	59
Same	233
Violations, penalty	233
Authority to fix salaries	106
How paid	281
How fixed	30
Amount of	281
Forfeiture of	284
Same	30
Cannot be changed during term	30
Payment of more than, prohibited	59
Exception	59
No lien on moneys collected	288
Fees	290
Penalty for buying of others than contractor	156

OFFICERS, REMOVAL OF—

Authority for	105
Causes for	293
Complaints for	279, 294
Procedure	295-309

OFFICIAL OATHS AND BONDS—

Oath, form of	273
Filing of	273
When filed	277
Amount of, and conditions	274

OFFICIAL OATHS AND BONDS—*Concluded.*

PARAGRAPH

Same, for Treasurer.....	275
Same, for Councilmen	276
To whom given	277
Justification of sureties	278
Custodian of.....	279
New bond.....	279
Bonds of, statutory provisions.....	107
Same	197-209
Water Commissioner's bond.....	163
Surety, other than city officer.....	282

OILS—

Amount of, dealer may keep on hand.....	1160
Penalty for violation.....	1161
Second offense.....	1162

O. & R. V. RY. CO. FRANCHISES—

See "RAILROADS."

ORDINANCES—

Style of.....	61
Subject expressed in title.....	56
Amendments and repeal.....	56
Read three times	56
Passage of	60
Yea and nay vote.....	46
Publication of.....	60
Same.....	61
Proof of publication	383, 1163
Take effect, when.....	61
Delivered by Clerk to Mayor.....	388
Veto.....	34
Passing over veto.....	34
Signed or vetoed by Mayor.....	34
Neglect of Mayor to sign or veto.....	34
Originals preserved by Clerk	38
Same.....	381
Copies preserved.....	383
Certified copies of.....	389
Courts take judicial notice of ordinances, when.....	173
Evidence in court.....	60
Authority to punish for breach of.....	116
Appropriation of money, majority.....	56
For collection of taxes.....	70
Power to act by	80
Recorded by Clerk.....	1163

ORDINANCES—*Concluded.*

PARAGRAPH

Offenses created under different clauses.....	1164
Repealing clauses, saving provisions	1165
Construction of singular and plural number	1166
Penalty when not named in special section.....	1167
Revision of.....	138
Books of revised, to be deposited with Clerk.....	1168
Mayor may present copies of.....	1169

PACIFIC TELEGRAPH COMPANY—

Franchise.....	1677
----------------	------

PARDONING POWERS—

Where vested.....	37
-------------------	----

PARKS—

Control of.....	84
Authority to buy and maintain.....	99
Same, limitation of expenditures	99
Bonds for	159

PATROL WAGON—

Fee for use of.....	181
---------------------	-----

PAVING—

General provisions for.....	144
Special assessment.....	144
Petition for	144
Districts	144
Intersections	144
Street railroad.....	144
Bonds for.....	144
Contracts for	145
Street intersections.....	146
Refusal street railway to pave.....	154

PAWNBROKERS—

Power to license.....	87
Defined.....	1170
Unlawful to do business as, without license.....	1171
Bond	1172
License, how issued.....	1173
Enter loans, etc., in book.....	1174
Furnish copy of book to Marshal each day.....	1175
Pledges not to be redeemed within twenty-four hours.....	1176
Sunday not included.....	1177
Not to receive pledges from minors.....	1178
Not to receive pledges from intoxicated persons.....	1178
Penalty for violation.....	1179

PEDDLERS—

PARAGRAPH

Defined.....	1098
License of.....	1098

PENALTY—

Delinquent special tax.....	75
Violation of license.....	123
Authority to enforce.....	136
To whom paid.....	175

PLUMBERS—

Obtain license.....	1180
Application for.....	1181
Bond.....	1182
Fee for.....	1182
Duration of.....	1182
Forfeiture of.....	1183
To obtain permit for use of water before tapping main.....	1184
Kind and size of lead pipe to be used.....	1185
Stop-cocks.....	1186
Same.....	1188
Excavations in streets, permits for, etc.....	1187
Work of, subject to inspection of Water Commissioner.....	1188
Attachments for water supply, how made.....	1189
Faucets, sink fixtures, etc., kind of.....	1190
Report of Water Commissioner.....	1191
Price of attachments and corporation cocks.....	1192
Application for permits, approval of Water Commissioner.....	1193
Size of trap in dwelling houses.....	1193
Attachments to water pipes to be under supervision of Water Commissioner.....	1194
Where pipe may be tapped ..	1194
Improper work to be corrected.....	1195
Permits for repairs.....	1196
Must report repairs within forty-eight hours.....	1196
Not to turn water off or on.....	1196

POLICE AND POLICEMEN—

Organization of department.....	465
Appointment and removal.....	27, 166
Salary.....	30
Same.....	281
Qualifications.....	476
Duties of.....	477, 484
Same.....	43
Same, in case of accidents.....	550
Same, respecting theaters.....	582

POLICE AND POLICEMEN—*Concluded.*

PARAGRAPH

Removal of	485
Property seized by, disposition of.....	489
Firemen, exercise power of	465, 492, 503
Captain of	474
Salary of.....	281
Same	30
Sergeant of.....	475
Fund, limitation of taxes for	62
Limitation of number.....	27, 166
Salary of.....	281
Settle disputes as to hack fare.....	761
Remove drunken hack driver	773
Arrest persons carrying concealed weapons	784
Seizing gunpowder	875
Enforce ordinance relating to fire-works.....	889
Unlawful wearing of star or badge of.....	1119
Notify owners of defects in sidewalk	1293
Remove incumbrances in street.....	1325
Special	27

POLICE JUDGE AND COURT—

Constitutional provision for.....	2
Same	3
Election of.....	26
Same.....	818
Term of office.....	26
Vacancy, filling same	189
Reports of	175
Same, failure to make.....	175
Compensation	31
Jurisdiction	170
Same	400
Same, proceedings in case exceeding.....	178
Jurisdiction, library matters.....	249
Powers of.....	171
Change of venue	180
Proceedings by, general provisions	183
Same	402
Court, sessions of.....	401
Same	171
Security for costs	403
Fees, accounts of	31
Fees, criminal cases.....	404
Fees, disposition of	405

POLICE JUDGE AND COURT—*Concluded.*

PARAGRAPH

Fees, jury	180
Fines, disposition of.....	175
Fees of witnesses	179
Appeal from	172
Error from.....	173
Bill of exceptions	173
Warrant, issuance	174
Immediate trial by	176
Continuance	177
Recognizance on continuance	177
Recognizance, breach of	178
Witnesses.....	179
Same	185
Same, enforce attendance.....	179
Trial, by court.....	180
Trial, by jury.....	180
Same.....	186
Same, selecting jury.....	180
Jury trial, challenges.....	186
Judgment, on conviction.....	181
Same, on confession.....	181
Sureties for judgment.....	181
Sureties, execution against.....	181
Punishment by.....	187

POLICE MATRON—

Authority for appointment.....	191
Salary.....	191

POLLS—

When opened.....	25
------------------	----

POLL TAX—

Exemption from.....	236
---------------------	-----

POUND—

Power to establish.....	125
Power to provide.....	126
Poundmaster, appointment of.....	1198
Bond of.....	1198
Authority of.....	1198
Fees for impounding.....	1198
Impounding animals.....	1199
Record of.....	1200
Notice to owner.....	1201
Sale of animals.....	1201

POUND--*Concluded.*

PARAGRAPH

Disposition of surplus from sale.....	1202
Report of poundmaster.....	1203
Penalty for violations.....	1204
Same.....	1205

POWERS OF CITY—

To sue and be sued.....	22
To purchase and hold real and personal property for the use of the city and real estate sold for taxes.....	22
To sell and convey any real or personal estate owned by the city, and make any such order respecting the same as may be conducive to the interests of the city.....	22
To make contracts and all other acts necessary to exercise of corporate power.....	22
To exercise all powers conferred by law.....	22
How exercised.....	22
I. To levy taxes, general.....	81
II. To levy special taxes.....	82
III. To grade streets, etc.....	83
IV. To open and improve streets.....	84
V. To sprinkle streets with water.....	85
VI. To set aside space for sidewalk, and regulate and compel walks to be built.....	86
VII. To impose license tax.....	87
VIII. To tax and control dogs.....	88
IX. To regulate building areaways, etc.....	89
X. To compel persons to fasten their horses.....	90
XI. To regulate use of streets.....	91
XII. To prevent encroachments on streets, sidewalks, etc.....	92
XIII. To contract for the erection of gas-works, etc.....	93
XIV. To provide for lighting of streets, etc.....	94
XV. To regulate levee, depots, passage of railroads, etc.....	95
XVI. To regulate crossing of railroad tracks, running railway engines, etc.....	96
XVII. To exercise the power of eminent domain.....	97
XVIII. To establish and maintain public libraries.....	98
XIX. To purchase and improve public parks.....	99
XX. To borrow money and pledge credit, etc.....	100
XXI. To provide for and issue funding bonds.....	101
XXII. To provide for a sinking fund.....	102
XXIII. To divide the city into wards.....	103
XXIV. To provide for the registration of voters.....	104
XXV. To provide for removal of officers of city.....	105
XXVI. To prescribe powers, duties, etc., of city officers.....	106

POWERS OF CITY—*Concluded.*

PARAGRAPH

XXVII. To require officers, etc., to give bonds.....	107
XXVIII. To require reports from officers.....	108
XXIX. To take the census.....	109
XXX. To purchase and own ground for a market house.....	110
XXXI. To fix rate of water-tax.....	111
XXXII. To regulate water-course, establish public wells, etc.....	112
XXXIII. To organize and maintain a fire department, etc.....	113
XXXIV. To establish standard weights and measures.....	114
XXXV. To provide for an inspection of weight of coal, etc.....	115
XXXVI. To punish breach of any ordinance.....	116
XXXVII. To prevent miscellaneous crimes.....	117
XXXVIII. To prevent and restrain riot, etc.....	118
XXXIX. To punish disorderly conduct.....	119
XL. To punish vagrants, etc.....	120
XLI. To require all lots drained and filled.....	121
XLII. To remove dead carcasses.....	122
XLIII. To regulate and license halls, etc.....	123
XLIV. To prescribe rules for erection of buildings.....	124
XLV. To regulate and prohibit cattle running at large, etc.....	125
XLVI. To erect a pound.....	126
XLVII. To regulate and license auctions.....	127
XLVIII. To prevent diseases.....	128
XLIX. To erect jail, station house, etc.....	129
L. To make regulations to secure general health.....	130
LI. To purchase and own land for cemetery, hospital, and water-works.....	131
LII. To ornament and improve cemetery grounds.....	132
LIII. To convey cemetery lots to purchasers.....	133
LIV. To limit number of cemetery lots owned by one person.....	134
LV. To pass rules and ordinances governing cemetery, etc.....	135
LVI. To conserve the general welfare.....	136
LVII. To elect a President of the Council.....	137
LVIII. To provide for revision of ordinances.....	138
LIX. To purchase ground for hospital.....	139
LX. To provide for control of hospital.....	140
LXI. When board shall hold meetings.....	141
LXII. Board to establish rules.....	142
LXIII. To enter into agreement with charitable societies for management of hospital, etc.....	143

PRECINCTS—

How formed	24, 828
------------------	---------

PRESIDENT OF COUNCIL—

Shall preside, when.....	36, 319
Authority to elect, and duties of.....	137, 319

PRINTING—

PARAGRAPH

Compensation for.....	168
How let.....	1376-1380

PRISONERS—

Working same.....	188
Fees allowed for working.....	188
Discharge of.....	182

PROCESS—

Service of.....	20
-----------------	----

PUBLIC MONEY—

Diversion of.....	50
Same, special funds.....	57
Must remain in custody of Treasurer.....	78
Penalty for violation.....	78
To be paid in warrants.....	59
Authority to borrow.....	100

PUNISHMENT—

Authority to impose.....	116, 119, 187
--------------------------	---------------

QUARANTINE—

Appropriation.....	55
By Board of Health.....	1012

RAILROADS—

Power to regulate.....	95, 96
May be compelled to build viaducts.....	83, 192, 193
Statutory provisions.....	226-230
Speed of trains through city.....	1206
Bell, ringing same.....	1207
Obstruction of streets by cars, etc.....	1208
Flying switches prohibited.....	1210
Lamps at certain street crossings.....	1211
Flagmen, where stationed.....	1214
Penalty for violations.....	1215
Bonds in aid of.....	1559-1563
Right of way of A. & N., vacating.....	1595
Same, on Seventh street, between O and S.....	1596
Same, on Seventh street, between O and N.....	1597
Same, on Sixth street.....	1598
Same, on Seventh street.....	1606
Same.....	1616
Bellevue, Ashland & Lincoln Railroad, repealing.....	1607

RAILROADS—*Continued.*

PARAGRAPH

RIGHT OF WAY OF B. & M.—

Ordinance modifying grant.....	1605
On Seventh street, between P and Q.....	1608
On Eighth and N.....	1609
On Fifth and U.....	1610
On Sixth and Seventh.....	1611
On Fifth.....	1612
On Seventh.....	1617
On L, M, and N.....	1618
On Eighth, between O and P.....	1620
On Sixth.....	1627

RIGHT OF WAY OF C., B. & Q.—

On Sixth.....	1619
Same.....	1627
Same on Q street.....	1628
On alley and Eighth street.....	1632
On N street.....	1637
Side track on Seventh street.....	1638
South half Y street.....	1639

RIGHT OF WAY OF C., R. I. & P.—

Eighteenth and R street addition.....	1633
Territory between Seventeenth and Eighteenth streets.....	1634
Vine, Y, North and Eighteenth streets.....	1635
From Twenty-seventh to R street.....	1636
Salsbury addition.....	1640
Along line as surveyed.....	1641
From L street to city limits.....	1642
Viaduct North and Eighteenth streets.....	1643
Young's addition and Houtz Place.....	1645
X street.....	1647

RIGHT OF WAY OF F., E. & M. V.—

Over blocks 18, 9, and 6.....	1622
On Y street.....	1629
On X street.....	1644

RIGHT OF WAY OF L. & N. W.—

Certain streets and alleys.....	1621
Eighth street, north of R.....	1624

RIGHT OF WAY OF MIDLAND PACIFIC—

Repealing.....	1601
On Eighth street.....	1602
Same.....	1603
Same on Third, Fourth, and Fifth streets.....	1604
Ordinance modifying grant.....	1605

RAILROADS—*Concluded.*

PARAGRAPH

RIGHT OF WAY OF MISSOURI PACIFIC—

Certain streets and alleys.....	1621
On T, U, and V streets.....	1622
On W street.....	1623
On Ninth street.....	1625
On Tenth street.....	1626

RIGHT OF WAY OF O. & R. V. Co.—

Certain streets.....	1613
Same.....	1614
Same.....	1615
Buckstaff, permission to maintain track on Eighth street.....	1630
Bridge across Salt creek.....	1648

REAL ESTATE—

Delinquent tax list.....	72
Same, sale.....	72
Sale of, for tax not affected by irregularity.....	74

REAL ESTATE BROKERS AND AGENTS—

Power to tax.....	87
-------------------	----

REGISTRATION—

Authority to provide for.....	104, 804
Special elections.....	824

REMOVAL OF OFFICERS—

See "OFFICERS."

REPORTS REQUIRED—

Authority to require.....	108
---------------------------	-----

BY CLERK—

Monthly, of warrants issued.....	38
Monthly, of condition of funds.....	38
Annual, of bonds sold.....	38
Regarding impounded animals.....	1203

BY TREASURER—

Monthly, on state of treasury.....	39
Same.....	397
Annual.....	79
On delinquent officials.....	396
On dog tax.....	801

BY MAYOR AND COUNCIL—

Publish financial statement.....	156
----------------------------------	-----

BY ENGINEER—

On acceptance of work.....	152
On request of Council.....	422
Encroachment on public ground.....	420

REPORTS REQUIRED—*Concluded.*

PARAGRAPH

BY POLICE JUDGE—	
Monthly list of cases.....	175
Monthly fines and costs.....	175
BY BOARD STATIONARY ENGINEERS—	
Monthly to Council.....	1310
To Treasurer.....	1300
BY WATER COMMISSIONER—	
Quarterly, on condition of water system.....	164
Same, itemized statement of receipts and expenditures.....	1404
BY STREET COMMISSIONER—	
Weekly, as to employees.....	425
To City Attorney, when accident occurs.....	426
BY SIDEWALK INSPECTOR—	
To City Attorney, when accident occurs	430
As to cost of building sidewalks.....	429
Report notices to build sidewalks.....	429
Weekly as to transactions of office.....	429
Service of notices to build.....	1292
BY CHIEF OF FIRE DEPARTMENT—	
Semi-annual.....	496
On damage to building by fire.....	629
Of arbitrators on damage by fire.....	623, 624
BY CITY ATTORNEY—	
Annual	449
BY CITY PHYSICIAN—	
Monthly.....	464
Regarding deaths.....	791
BY LIBRARY BOARD—	
Annual	247
Organization	1096
BY BOARD OF PUBLIC WORKS—	
On Engineer's estimate.....	152
On employment of inspectors.....	416
BY HEALTH OFFICER—	
Monthly, on condition of office.....	460
BY PLUMBERS—	
To Water Commissioner.....	1191
Same.....	1196
BY ALL OFFICERS—	
On request of Mayor.....	291

RESIDENT MERCHANT—

Defined.....	1216
--------------	------

RESIDENT MERCHANT—*Concluded.*

PARAGRAPH

Shall not sell or solicit except in regular place of business without license.....	1217
License for peddling.....	1218
Not applicable to hawkers and peddlers.....	1219
Penalty for violations.....	1219

RIGHTS OF PROPERTY—

Preserved.....	21
Transferred	21

RIOTS—

Authority to restrain.....	118
Punishment.....	1115

ROAD TAXES—

Especially appropriated.....	53
Expenditure of.....	62
To whom paid.....	76
How expended.....	76

RULES—

Of Excise Board.....	1720
----------------------	------

SALARIES—

Officers	30
Ordinance fixing.....	281

SCAVENGERS—

Authority to license and regulate.....	87
License.....	1220, 1225
Bond for.....	1220
How work shall be done.....	1221
Storage of implements used by.....	1222
Work must be done at night.....	1223
Same.....	1224
Contents of vault not deposited within city.....	1223
Inspection of wagons, etc.....	1224
Post number on wagons, etc.....	1224
Fees.....	1225
Penalty for violation.....	1226

SEAL—

Description of.....	391
Custodian of	1227

SEAT OF GOVERNMENT—

Location of	253-257
-------------------	---------

SECOND-HAND DEALERS—

PARAGRAPH

Power to license and regulate.....	87, 136
License.....	1228
Bond.....	1229
Fee for license.....	1230
Application for license.....	1230
Keep record of goods purchased.....	1231
Book to be open to Mayor, police, etc.....	1231
Report purchases and pledges each day.....	1232
To give notice of advertised goods.....	1233
Penalty for violation.....	1234

SEWERS AND DRAINS—

Construction of.....	83
Power to provide system.....	147
Districts.....	147
Special tax for.....	148
Special assessment for.....	148
Petition for sewerage.....	148
Bonds for.....	159
Tax for.....	165
Contracts for.....	409
Specifications.....	409
Placing rubbish in, penalty.....	880
Connections with must accord with rules and regulations of council, Same.....	1235 1240
Cannot be opened or connected with, without permit.....	1236
Application for permit.....	1237
Bond for.....	1237
Excavations for sewer pipe, permit.....	1238
Permits, issued by City Engineer.....	1239
Applications for.....	1240
Record of.....	1240
Forfeiture of.....	1240
Plumber responsible for damages to streets.....	1241
Penalty for violations.....	1242
Inspectors, appointment of.....	1243
Rules and regulations governing use of sewers.....	1244-1264
Rules to be posted in shop.....	1265

SIDEWALKS—

Authority to reserve space for.....	86
Assess cost of construction.....	86
Erection of.....	86
Brought to grade.....	86

SIDEWALKS—*Continued.*

PARAGRAPH

Authority to regulate.....	86
Contracts for	86
Notice to lot owner	86
Liability of lot owner	86
Obstructions.....	89
Encroachments on	92
Inspector of.....	428
Defective, repaired by city.....	428
Notice defect in.....	428
Service of notices.....	429
Use of, for storing building material.....	618
Obstructing.....	1117
Dangerous condition of, prohibited.....	1123
Fruit or book stands on	1148
Occupation of, by peddler prohibited	1129
Reservation of space for.....	1267
Width of, on business streets.....	1268
Material for construction.....	1268
To incline upward.....	1269
Regulations governing, on residence streets.....	1269
Brought to established grade.....	1270
Resolution and notice for building.....	1271
City may build.....	1272
Dilapidated wooden sidewalks declared a nuisance.....	1273
Permits to use space under.....	1274
Amount of space under, to be used.....	1275
Entrances and openings in.....	1276
How openings in, shall be constructed.....	1277
Boilers, furnaces, explosives, etc., not permitted under.....	1278
Openings not to be left open or broken.....	1279
No smooth glass in, permitted.....	1280
Must be kept at grade.....	1280
Clean snow and ice from.....	1281
Keep free from incumbrances, filth, etc.....	1281
Unlawful to tear up or remove.....	1282
Unlawful to hitch animal so as to obstruct.....	1283
Riding or driving on.....	1284
Awnings on.....	1285
Injury to, or lamp posts.....	1286
Permitting riding or driving on.....	1287
Permitting merchandise to remain on	1288
Riding bicycles or velocipedes upon	1289
Occupying more than five feet for displaying goods.....	1290
Porches, outside stairways, etc., no more than three feet.....	1290

SIDEWALKS—*Concluded.*

PARAGRAPH

Penalty for violation.....	1290
Crossings, authority for.....	1291
Record of notices served regarding	1292
Policemen to notify owners of defects in.....	1293
Shade trees, where planted	1294
Cultivation of trees.....	1295
Horses, cattle, etc., not allowed on space reserved for.....	1296
Penalty for violation.....	1296
Penalty for violating article	1297
Telephone or telegraph poles not to be placed in.....	1386
Telephone or telegraph companies liable for damages to.....	1387
See "INSPECTOR OF SIDEWALKS—INSPECTOR."	

SIGNS—

Of what material.....	1266
Height from ground.....	1266

SINKING FUND—

Provided for in annual appropriation	55
Authority to provide.....	102
Water rents placed in	165
Taxes for, how payable	167
How invested	167

SPECIAL ASSESSMENTS—

Remain special fund	51
Warrants	57
Duties of Board of Equalization	63
Lien on real estate.....	63
How paid.....	71
When delinquent.....	75
Same	144
Interest on, when delinquent	75
Authority for levying	82
For viaducts	83
For street sprinkling.....	85
For sidewalks	86
For lighting railways	96
For filling lots.....	121
For paving.....	144
For intersections.....	146
For sewer.....	148
Re-assessment	148
Distress warrant.....	150
For paving for street railway.....	154

SPECIAL ASSESSMENTS—*Concluded.*

PARAGRAPH

Limitations on, for paving.....	144
Errors in, how corrected.....	144
How determined	144
For improving streets	146
How levied	149
Same.....	151

STANDARD STREET RAILWAY CO.—

Franchise.....	1662, 1668
----------------	------------

STATIONARY ENGINES—

Board of	1298
Qualification	1299
Account to treasurer	1300
Duties of	1301, 1305
Fee for examination	1302
Rules.....	1303
Post certificate	1304
Salary.....	1309
Report to Council.....	1310
Penalties for violation.....	1305, 1307, 1308

STEAM CAROUSALS—

License and consent of property holders.....	1311
Penalty for violation.....	1315

STEAM ENGINES—

When used within fire limits.....	1316
Permits for.....	1317
Application for.....	1317
Violation of article, penalty.....	1318

STREET COMMISSIONER—

Appointment of.....	27
Same.....	263
Confirmation of.....	27
Salary of.....	30
Term of office.....	263
Powers of.....	44
Duties of.....	423
Same.....	425
Same respecting railroad crossings.....	424
Same respecting street railways.....	424
Assistants.....	425
Record of assistants.....	425
Report of pay-roll to Council.....	425

STREET COMMISSIONER — *Concluded.*

PARAGRAPH

Examine place of accident.....	426
Report to City Attorney.....	426
Act as Sidewalk Inspector.....	427
Serve notice to remove barbed wire fence.....	605
Supervision of electric light wires.....	841
May remove incumbrances in street.....	1325

STREET RAILROADS—

Constitutional restriction.....	10
Defined.....	153
Paving between rails.....	144, 153, 1372b
Refusal to pave.....	154
Unlawful to move building along or across track.....	1342
Filing map of proposed line.....	1352
Calling election for grant of franchise.....	1353
Notice of election.....	1354
Holding elections, canvass of vote.....	1355
Expense of election.....	1356
Gauge of track.....	1357
Operation of.....	1357
Conform to grade of streets.....	1358
Conditions under which track may be placed on paved street.....	1372a
Track placed in middle of street.....	1359
Not more than two tracks on street.....	1359
Turnout or switch not allowed on street with two tracks.....	1360
Taking up track.....	1361
Use of same track by different lines.....	1362
Use of streets, including bridges.....	1363
Side tracks and switches.....	1363
Regulations governing operation of.....	1364
Right of way on tracks.....	1365
Same.....	1366
Fare.....	1367
Sale of tickets.....	1368
Minor not to get off car in motion.....	1369
Fare must ^a be paid.....	1370
Limitations of article.....	1371
Penalty for violation of.....	1372

STREETS—

Power to lay out.....	17
Authority to compel owners of additions to conform to width of...	17
Same.....	19
Under charge of Street Commissioner.....	44
Authority to name, vacate, etc.....	84

STREETS—*Continued.*

PARAGRAPH

Authority to regulate use of	91
Authority to sprinkle with water.....	85
Grade, improve, repair, etc.....	83
Authority to improve	144
Special tax for improving.....	146
Authority to provide for lighting.....	93
Survey of.....	419
Intrusions on, reported by City Engineer.....	420
Works supervised by City Engineer.....	421
Permits to work in	421
Earth and pavement removed from	421
Supervision of, by Street Commissioners.....	423
Care of, by Mayor and Council.....	47
Prevent misuse of.....	92
Obstruction of.....	89
Railways in.....	96
Eminent domain.....	97
Use by railways.....	153
Authority to punish indecencies upon.....	119
Use of, for storing building material.....	618
In additions must conform.....	554
Fire, how carried through.....	854
Street signs, penalty for breaking or carrying away.....	1090
Street railroads to conform to grade of.....	1358
Conditions under which track may be placed on paved street.....	1372a
Obstruction of, by crowd.....	1129
Hay, etc., not to be thrown.....	1133
Banana peel not to be thrown.....	1134
Obstruction by cars	1208
Names of.....	1319
Numbering buildings	1320
Method of numbering.....	1321
Size of numbers.....	1322
When to be placed on building.....	1323
City Council may place number when owner refuses	1324
Must be kept free from incumbrances.....	1325
Building not be erected in.....	1326
Buildings erected in streets to be removed.....	1327
Same.....	1328
Rubbish, stone, mortar, etc., to be hauled in tight box.....	1329
Dressing stone or building material in, prohibited.....	1330
Cattle driven through, regulations.....	1331
Names of, placed on street corners.....	1332
Playing ball in, prohibited.....	1332

STREETS—*Concluded.*

PARAGRAPH

Excavations in, consent of Council.....	1333
Tamping excavations.....	1334
Driving across curbing.....	1335
Use of, by auctioneers or peddlers.....	1336
Curb lines.....	1337
Refuse matter in, unlawful.....	1133, 1134, 1338
Use of, during erection of buildings.....	1338
Scales in street.....	1339
Moving buildings in, permits.....	1340
Penalty for violation of.....	1341
Application for permit.....	1341
Bond for.....	1341
Unlawful to move building across street railway track.....	1342
Sewer pipes in paving districts.....	1343
Open, widen, and improve.....	1344
Condemn land for.....	1345
Proceedings to condemn.....	1346
Same.....	1347
Fee of appraisers.....	1348
Grade or repair of.....	1349
Same, two-thirds vote for.....	1349
Excavations in, permit.....	1350
Same, barricades, lights, etc.....	1350
Penalty for violations.....	1351

SUNDAY—

Violations of.....	1373
Same.....	1374
Penalty for violations.....	1375

SUPPLIES—CITY PRINTING—

How let.....	1376-1380
Bond.....	1378
Job printing, how let.....	1379
Papers to be furnished officers.....	1380
Not to exceed.....	168

SUPPLIES FOR CITY GOVERNMENT—

Charter provisions.....	156
Advertisement for.....	1381
Bids for.....	1382
Bond for bid.....	1383
Estimates and lists to be furnished Clerk.....	1384
Contracts for furnishing.....	1385

SURPLUS—

PARAGRAPH

Of funds may be transferred.....	50
Same.....	51
Water rents, applied.....	165

TAXES—

Municipal property exempt.....	5
Levy of.....	62
Limitations.....	62
Board of Equalization.....	63
List, correction.....	64
Delinquent.....	65
Interest on.....	65
Demand unnecessary.....	65
Distress warrants.....	66
Same.....	67
Fees for collecting.....	68
How collected.....	69
Ordinances for collection of.....	70
Coupons of bonds accepted for.....	71
How paid.....	71
Lands sold for.....	72
Lien on real estate.....	73
Lien of, how governed.....	73
Irregularities do not invalidate.....	74
General provisions.....	75
Relevy.....	75
Authority to levy general.....	81
Authority to levy special.....	82
License.....	87
Water.....	111
Limitations on, for bonds.....	162
For sinking fund, how payable.....	165
Limitations on.....	217
Same.....	220
For internal improvements.....	232
Insurance companies.....	237

TELEGRAPHS AND TELEPHONES—

See "FRANCHISES."

Authority to regulate.....	94
Tax or license.....	1098, 1393
Poles not placed in sidewalks.....	1386
Poles placed in streets.....	1387
Poles placed as directed by Mayor or Council.....	1388
Penalty for violation.....	1388

TELEGRAPHS AND TELEPHONES—*Concluded.*

PARAGRAPH

Companies liable for damage to sidewalk, curbing, area wall, etc...	1389
Penalty for violation.....	1390
Tax required of telegraph company.....	1391
Penalty for non-payment.....	1392
Tax required of telephone company.....	1393
Disposition of tax.....	1393

THEATERS—

See "BUILDINGS," "AMUSEMENTS," "LICENSE."

TREASURER—

Election of.....	26
Same.....	261
Term of office.....	26
Salary	30
Same.....	281
Vacancy in office of.....	39
Declared vacant, how.....	39
Deputy.....	39
Same.....	399
Duties of Deputy.....	399
Bond of.....	39
Amount of.....	275
Custodian of corporation money.....	39
Keep each fund account separate.....	39
Give receipt.....	39
File copies of receipts.....	39
Reports.....	39
File vouchers.....	39
Deputy.....	39
Deputy, appointment.....	268
Hold special assessment as special fund.....	51
Correct errors of names in tax list.....	64
Report lands omitted from tax lists.....	64
Make out delinquent tax list.....	65-72
Collect delinquent tax.....	65
Form of tax warrant.....	66
When levy on personalty.....	67
Fines paid to.....	175
Levy distress warrant.....	66, 67
Same.....	144
General authority.....	68
Fees for collecting taxes.....	68
Deliver delinquent tax list to County Treasurer.....	72
Notify County Treasurer of payment.....	72

TREASURER—*Concluded.*

PARAGRAPH

Receive all money belonging to city.....	77
Keep daily cash book.....	77
Other books.....	77
Books subject to inspection.....	77
Retain all moneys in his keepi g.....	78
Penalty for violation.....	78
Report annually.....	79
Report when required.....	79
Keep a register of warrants.....	79
Give notice of special assessments.....	150
Books of account of.....	393
Same.....	77
Separate accounts.....	394
Cancel bonds, warrants, etc.....	395
Deliver tax receipts, etc.....	396
Report delinquent officers.....	396
Monthly report of.....	397
Deliver canceled indebtedness to Clerk.....	398
Place pound fees in special police fund.....	801
Report same to Council monthly.....	801

UNION SQUARE—

Location of.....	260
------------------	-----

VACANCY—

See different officers.

VAGRANTS—

Authority to arrest and punish.....	118, 120
Ordinance.....	1140

VENUE—

Change of.....	180
----------------	-----

VETO—

Authority to.....	34
Pa sing over.....	34

VIADUCT—

General provisions.....	83, 192, 193
O street viaduct ordered.....	1709
Ordinance calling election.....	1712
Ninth street viaduct ordered.....	1713

VOTE—

Yea and nay, to confirm.....	27
On contract.....	46
On street grading.....	83
On sidewalk assessment.....	86

WARDS—

PARAGRAPH

Division of city into.....	16
Number of, and of election districts.....	23
Authority to divide city into.....	103
Division of city into.....	1394
First ward.....	1394
Second ward.....	1395
Third ward.....	1396
Fourth ward.....	1397
Fifth ward.....	1398
Sixth ward.....	1399
Seventh ward.....	1400
Lines extend to center of street.....	1401

WARRANTS—

Clerk to keep record of.....	38
Not to issue in case of appeal.....	49
Not drawn unless fund appropriated.....	55
Not to exceed ninety per cent of fund.....	57
Exceptions.....	57
By whom signed.....	57
What must state.....	57
Accepted for taxes, when.....	71
Treasurer to keep register of.....	79
Interest on.....	225
By whom drawn.....	380
Form tax warrant.....	66
Effect of.....	67

WATER COMMISSIONER—

Election of.....	26
Same.....	163
Same.....	261
Term of office.....	261
Salary.....	30
Same.....	281
Bond of, and appointment.....	163
Same.....	274
Councilmen ineligible.....	163
Duties.....	164
Same.....	1402
Same.....	1411
Collect water rents.....	1402
Disposition of same.....	1402
Receipts therefor.....	1402
Reports to Council.....	1404

WATER COMMISSIONER—*Concluded.*

PARAGRAPH

Same	1405
Control of department employees.....	1406
Estimates for department.....	1407
Purchase supplies, when ..	1408
Employ laborers, when	1408
Supervise laying mains	1409
Supervise connections	1409
Fix price for water, when	1410
Inspect plumbing.....	1188
Control of water-works.....	1402
Receive and account for moneys.....	1403
Report to Council	1404
Control of employees	1406
Submit estimate.....	1407

WATER RATES AND RULES—

Authority to fix	111
Disposition of money realized.....	165
Table of rates.....	1435
Persons other than owner of building or occupants not to be supplied	1412
Failure of one of two persons using, to pay.....	1413
Permit for additions or change of pipes, etc.....	1414
Owner must keep service pipes, etc., in repair.....	1415
Water not to be left running.....	1416
Applications for water	1417
Free access of employees of Water Department.....	1418
Water meter, right of city to set.....	1436
Sprinkling permits	1428-1433
City may stop water without notice	1419
May shut off water in mains for repairs, etc.....	1420
Unauthorized taking of water prohibited.....	1421
Each house on lot to pay rates.....	1421
Interfering with apparatus prohibited.....	1422
Size of hose used in sprinkling	1428
Waste of water prohibited.....	1430, 1431
Penalty for.....	1430, 1431
When rates to be paid	1434
No reduction on account of wells, etc.....	1425
Rates based on water used on premises.....	1426
Public buildings defined.....	1427
Public closets defined	1427
Penalties for violations.....	1423
Unlawful to take water from hydrant during fire.....	1432

WATER RATES AND RULES—*Concluded.*

PARAGRAPH

Penalty for violation	1432
Size of nozzle of sprinkler	1428
Unlawful to leave nozzle, etc., open.....	1431
Rights reserved.....	1436, 1442
Rents lien on property	1441

WATER-WORKS—

Construction of.....	1558
Charter provisions	131, 159, 160, 165
Under control of Water Commissioner.....	1402
See "WATER COMMISSIONER," "WATER RATES AND RULES."	

WEIGHTS AND MEASURES—

Authority to establish standards for.....	114
Standards of state adopted	1443
Contracts refer to	1443
Bushel by weight.....	1444
Public scales, license for.....	1445
Weighmaster's register, certificates, etc.....	1446
Testing public scales.....	1447
Penalty for violation	1448

WRIT OF ERROR—

From Police Judge.....	173
------------------------	-----

YEA AND NAY VOTE—

Confirmation officers	27
Called on ordinances.....	46
Called on contracts.....	46

ERRATA.

Par. 850, on page 232, should read Par. 859.

Par. 1334, on page 371, should read Par. 1344.



3 0112 098222422